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ARTICLE I

GENERAL PROVISIONS

100 **AUTHORITY**

The laws of the Commonwealth of Pennsylvania empower local governments to regulate the subdivision of land. The authority for this function has been established by the General Assembly under the provisions of Act 247-1968, The Pennsylvania Municipalities Planning Code, as amended by ACT 170-1988, and subsequent amendments by the Pennsylvania Assembly.

101 **SHORT TITLE**

This Ordinance shall be known and may be cited as the Subdivision and Land Development Ordinance of Robinson Township, Washington County, Pennsylvania.

102 **PURPOSES**

This Ordinance has been developed to require basic minimum standards for the development of land, including the subdivision thereof into separate lots; and establishes rules and regulations, definitions, application procedures and permits by which the standards may be carried out. These requirements are designed to provide for:

- A. The coordinated development of land throughout the Township;
- B. Assurance that new subdivisions will be developed consistent with the maintenance of the health, safety and general welfare of the public;
- C. Necessary public facilities in an amount and size commensurate with the needs of the area to be subdivided and the uses to which the land will be devoted;
- D. Assistance in identification of hazards from flooding, landslides, subsidence or other dangers, by requirements that land subject to such dangers will be made safe for its proposed use or be set aside for uses that will not precipitate dangerous conditions;
- E. Protection of the soil, water and other natural environmental resources of the area from the effects of uncontrolled development practices;
- F. Coordination of continuing community growth with respect to overall development considerations, such as sewage disposal, water supply, drainage facilities, traffic circulation systems, emergency accessways, retention of open spaces and related factors; and,

- G. Equitable administration of all subdivision and development proposals throughout the municipality.
- H. Classification of the submission as a major or minor subdivision; or as a site development - either commercial or industrial.

## ARTICLE II

### COMPLIANCE AND APPLICATION

#### **200 SUBJECT PROPERTIES**

No subdivision or land development of any lot, tract or parcel of land shall be affected; no street, sanitary sewer, storm sewer, water main or other facilities and public utilities in connection therewith shall be constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in strict conformance with the provisions of this Ordinance.

#### **201 SALE OF LOTS**

No lot in a subdivision shall be sold; no permit to erect any building upon land in a subdivision shall be issued; and no building shall be erected in a subdivision; unless and until a subdivision plan has been approved and recorded, and until the improvements required by the Governing Body in connection therewith have either been constructed or guaranteed as hereinafter provided.

## ARTICLE III

### DEFINITIONS

#### 300 **INTERPRETATION**

For the purpose of this Ordinance, certain terms and words used herein shall be interpreted or defined as follows:

- A. Words used in the present tense shall include the future.
- B. Words used in the singular number shall include the plural.
- C. Words used in the plural number shall include the singular.
- D. The word "person" includes a corporation as well as an individual or an association of individuals.
- E. The words "shall" and "will" are always mandatory.
- F. The word "may" is permissive.

#### 301 **WORD MEANING**

For the purpose of this Ordinance, the following terms shall have the meaning indicated, unless otherwise specifically stated. Words not defined herein shall be observed and applied according to their generally accepted dictionary definitions.

**ALLEY** - A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

**BLOCK** - An area bounded by streets, utility, railroad, public facility or other right-of-ways; or easements or other definite barriers.

**BUILDING OR STRUCTURE** - An independent and detached structure having a roof supported by columns or walls, or resting on its own foundation, including but not limited to principal structures, mobile homes, garages, greenhouses and other accessory buildings.

**BUILDING LINE** - The line of that face of the building nearest the front line of the lot at the street right-of-way line.

**CARTWAY (Not right-of-way)** - That portion of the total street right-of-way surfaced or otherwise prepared or meant for vehicular uses. Width is

determined from face of curb to face of curb, or from one edge of driving surface to the other edge of driving surface.

**COMMISSION, PLANNING** - The Robinson Township Planning Commission as duly appointed by the local Governing Body.

**COVENANT** - An agreement, convention, or promise of two or more parties by deed in writing, signed and delivered by which either of the parties pledges himself to the other that something is either done or shall be done, or stipulates for the truth of certain facts.

**CUL-DE-SAC** - A street open to traffic and pedestrian access with one end permanently terminated by a vehicular turnaround.

**CLEAR SITE TRIANGLE** - An area of unobstructed vision at a street intersection defined by lines of sight between points at a given distance from the intersection of street lines. (See APPENDIX No. 1)

**CODE ENFORCEMENT OFFICER**-The duly appointed Code Enforcement Officer or entity. This term shall be interchangeable with Zoning Officer.

**DEVELOPER** - Any person, individual, firm, partnership, association, corporation, estate trust or any other group acting as a unit, who makes or causes to be made, a subdivision of land or a land development.

**EASEMENT** - A grant by a property owner for the use of land which is given to an individual or entity for purposes such as access, utility placement or similar activities.

**ENGINEER** - The Engineer for the Township as officially designated by the Governing Body.

**FLOODPLAIN** - A flat or low land area subject to inundation from a stream, river or watercourse; and/or any area subject to the rapid accumulation of surface waters from any source.

**FRONTAGE** - The front boundary line of a lot facing a street.

**GOVERNING BODY** - The duly elected Board of Supervisors of Robinson Township, Washington County, Pennsylvania.

**GROSS ACREAGE** - The entire land area of a tract, as distinguished from net acreage.

**HALF STREET** - A strip of land equal to or less than one-half of the required width of right-of-ways reserved or proposed for street purposes along the

property line. (Half streets are prohibited except to complete another half street.)

**HIGHWAY OCCUPANCY PERMIT** - Authorization issued by the Pennsylvania Department of Transportation allowing a property owner specific access to a state maintained highway. This permit is required before a subdivision is approved by the Township.

**IMPROVEMENTS** - A valuable addition to real estate or an amelioration of its condition amounting to more than mere repairs or replacement of waste, costing labor or capital and intended to enhance its value, beauty or utility or to adapt it for new or further purposes.

**LANDOWNER** - The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition); a lessee if he is authorized under the lease to exercise the rights of the landowner; or other persons having a proprietary interest in land.

**LAND DEVELOPMENT** - The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; or, a subdivision of land.

**LOT** - A tract or parcel of land capable of being designated by metes and bounds, designated for conveyance or transfer of ownership, improvement or sale, whether immediate or future.

**LOT, CORNER** - A lot, abutting two or more streets at their intersection, on which the building line for all streets must be observed.

**LOT DEPTH** - The mean horizontal distance between the front lot line and the rear lot line.

**LOT, DOUBLE FRONTAGE** - A lot that has access to a public right-of-way from both the front yard and back yard. Double frontage lots may be permitted only as a modification due to unnecessary hardship or unique physical circumstances that were not created by an appellant.

**LOT, REVERSE FRONTAGE** - A lot abutting a public right-of-way along both the front and rear yards, having access to only one of the public right-of-ways.

**LOT WIDTH** - The total horizontal distance across the lot, between the side lot lines, measured at the building line. Width criteria may be modified by the Governing Body in cases of irregular lots, provided that the intent and purpose of the Ordinance is observed.

**MAINTENANCE BOND** - A guarantee to the Township, backed by the developer's collateral and held in escrow by the Township, to insure that improvements, upon completion to the Township's satisfaction, will be maintained for a stipulated time period at no Township expense, against inferior construction.

**MASTER PLAN** - An orderly representation of future development plans for a parcel which will be developed by phases over a period of time. This plan is not binding and may be revised periodically as development plans change.

**MAJOR SUBDIVISION** - A subdivision requiring the construction of public or private infrastructure improvements such as streets, storm sewers or sanitary sewers.

**MINOR SUBDIVISION** - Subdivisions consisting of three (3) lots or less developed along existing improved public thoroughfares that require no additional streets or street openings or realignment of existing streets; the division of existing vacant lots; and the division of lots containing more than one principal structure for the purpose of transferring legal ownership of lots or structures and the land on which they are situated, provided that no new land development or new streets or realignment of existing streets is involved.

**MOBILE HOME** - A transportable single family dwelling intended for permanent occupancy, an office, or a place of assembly, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, that arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

**MOBILE HOME LOT** - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is developed and maintained consistent with the specific requirements of the Township for such use.

**MOBILE HOME PARK** - Any contiguous parcel or tract of land under single ownership, used or intended to be used for the placement of two (2) or more mobile homes for nontransient use, developed and maintained consistent with the specific requirements of the Township for such use.



**MODIFICATION** - A relaxation or change in the provisions of this Ordinance that is granted by the Governing Body in cases where the Developer can show, to the satisfaction of the Governing Body, that the literal enforcement of the provisions would exact undue hardship because of peculiar conditions pertaining to the land in question.

**MONUMENT** - A survey reference point constructed and placed as specified in this Ordinance. (See APPENDIX No. 1)

**MUNICIPALITY** - Robinson Township, Washington County, Pennsylvania.

**NET ACREAGE** - The total acreage of a development site minus the areas utilized for accessways, on-grade utilities and facilities, lakes, ponds, or similar water surfaces and parking facilities.

**OCCUPANCY PERMIT** - Certification issued by the Township attesting that the proposed development of a lot has been completed in accordance with the building permit and the applicable regulations of the Township and may be occupied for its intended use.

**OFF-SITE SEWER SERVICE** - A sanitary sewage collection system in which sewage is carried from an individual lot or dwelling unit by a system of pipes to a central treatment and disposal plant which may be publicly or privately owned and operated.

**OFF-SITE WATER SERVICE** - A potable water distribution system in which water is carried to individual lots or dwelling units by a system of pipes from a central water source located beyond the limits of the lot being served which may be publicly or privately owned and operated.

**ON-SITE SEWER SERVICE** - A system of piping, tanks or other facilities serving only a single lot and disposing of sewage in whole or in part into the soil or by a processing system located on site.

**ON-SITE WATER SERVICE** - A single system of piping, tanks or other facilities serving only a single lot and obtaining the water either in whole or in part from a primary source located within the limits of the lot being served.

**COMMON OPEN SPACE** - A lot or portion thereof or body of water or a combination thereof within a development site for the use and enjoyment of the residents of a development, including stormwater management facilities, but not including street, off-street parking areas and other areas set aside for facilities for the general public.

**PARKING SPACE** - For the purposes of this Ordinance, off-street parking and loading areas shall be defined as follows:

- A. An off-street parking space shall be a minimum dimension of nine feet wide by eighteen feet long (9' x 18'). Minimum aisle width 26' between stalls.
- B. A required off-street loading space shall be a minimum dimension of fourteen feet wide by sixty feet long (14' x 60').

**PATIO** - An outside surfaced courtyard or inner area having no roof.

**PERFORMANCE BOND** - A guarantee to the Township, backed by the developer's collateral held in escrow by the Township, to insure that the developer's financial and performance obligations in connection with the development approved by the Township, will be covered without harm to the Township.

**PERMANENT OPEN SPACE** - A part of a plan designated on the recorded documents, to be left undeveloped and described on the plan the same as any lot to be sold for development. A covenant of the land by the organization responsible for the maintenance of such permanent open space shall be included with the recording document.

**PLAN, PRELIMINARY** - A tentative subdivision plan of an entire tract, prepared by a Registered Land Surveyor, showing approximate street and lot layout, as a basis for consideration and review prior to preparation of a final plan.

**PLAN, FINAL** - A complete and exact subdivision plan, prepared by a Registered Land Surveyor for official recording as required by statute, to delineate boundaries, define property rights, proposed streets and all other improvements.

**PLAT** - The map or plan of a subdivision or land development, whether preliminary or final.

**PROPERTY LINE** - The boundary line surrounding a property or any portion of such line and described by bearing and distance.

**PUBLIC UTILITY** - Within the terms of this Ordinance, public utility shall be defined to include gas, electric, telephone, sewerage, water and communication cable services.

**RESUBDIVISION OR REPLATTING** - The modification of a recorded subdivision, in whole or in part, by a redesign of lots, size, area or street layout. (Such action requires subdivision approval.)

**RIGHT-OF-WAY** - Land reserved for use as a street, interior walk, or other public purpose, and dedicated for public use; all must be recorded in the County Recorder of Deeds Office. For purposes of this Ordinance, public right-of-way lines shall prevail over private parcel lines that are designated as falling within the public right-of-way. When a lot abuts a right-of-way of a public thoroughfare, all applicable lot area and lot requirements shall be computed from the public right-of-way line.

**SETBACK** - The minimum distance that a structure can be located from a right-of-way or property line or another structure, thereby creating a required open space on a lot.

**SEWAGE ENFORCEMENT OFFICER** - The designated official of the Township who issues and reviews on-site sewage permit applications and conducts such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act, as amended, and the Rules and Regulations thereunder.

**SITE DEVELOPMENT PLAN** - The proposed development or improvement plan for any residential, commercial or industrial parcel or property within the township.

**STORM WATER MANAGEMENT** - A plan to control the increase and concentration of run-off of stormwater caused by land development or predeveloped conditions. (See APPENDIX No. 2)

**STREET CLASSIFICATIONS** - The following street classifications shall apply to all streets in the Township:

- A. Expressway - Expressways are limited access freeways that carry through traffic between major urban centers and to and from points outside of a region with no interference.
- B. Arterial - Arterials carry major movements of traffic within or through the community.
- C. Collector - Collectors carry the internal traffic movements within the Township and connect developed areas with the arterial system. The collector system simultaneously provides abutting property with road access and accommodates local internal traffic movements.
- D. Local - Local streets provide access to immediately adjacent land.
- E. Private - Any vehicular way that is not dedicated as a public street.

**STREET MAINTENANCE** - The procedure applied to new or existing streets or streets under construction, including but not limited to, resurfacing, regrading, drainage improvement, pothole repair, dust prevention practices and snow removal.

**SUBDIVIDER** - The owner, or authorized agent of the owner, of the subdivision.

**SUBDIVISION** - The division or subdivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, for lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided however, that the division by lease of land for agricultural purposes into parcels of more than ten acres not involving any new street or easement of access or any residential dwelling shall be exempted. (Includes both major and minor subdivisions.)

**TOPOGRAPHIC MAP** - A map showing ground elevations by contour lines, and the location of important natural, manmade and other features.

**TOWNSHIP**-Robinson Township, Washington County by its Board of Supervisors and/or officers/representatives.

**UNIT, DWELLING** - A building or portion thereof providing complete housekeeping facilities for one individual or one family.

**USE** - The purpose or activity for which the land or building is designed, arranged or intended; or for which it is occupied or maintained.

**WAIVER**-Intentional relinquishment of a right, claim, or privilege.

**YARD, FRONT** - A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar improvements, the depth of which is the least distance between the front lot line at the right-of-way line and the building line.

**YARD, REAR** - A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unimproved other than by steps, walks, terraces, driveways, lamp posts and similar improvements.

**YARD, SIDE** - A yard between the principal structure and the side lot line, extending from the front yard, or from the front line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally at ninety (90) degrees with the side lot line, from the nearest part of the principal building.

**ZONING ORDINANCE** - A document adopted by the Township establishing districts throughout the Township and permitting certain uses within each district in order to protect the public health, safety and welfare, to maintain property values in each district and to encourage compatible development.

**ZONING OFFICER**-The duly appointed Zoning Officer or entity. This term is interchangeable with Code Enforcement Officer.

## ARTICLE IV

### PRE-APPLICATION CONFERENCE

#### **400 PROCEDURES**

The pre-application conference is provided as an informal session to provide information prior to preparation of formal application documentation and shall be optional at the discretion of the Zoning Officer.

- A. Prospective Subdividers shall arrange a preapplication conference with the Township Planning Commission to determine the practical and legal feasibility of the proposed project prior to the development of formal preliminary plan preparation. An appointment shall be made at least thirty (30) days prior to the Commission's regular meeting date. No fee shall be required for said conference.
- B. Subdividers shall present all information and data, as required by this Ordinance, for review and discussion with the Planning Commission.
- C. In assessing the suitability of the plan, the Planning Commission shall consider the Township's Comprehensive Plan and any other appropriate plans.
- D. Consideration shall also be given to possible hazards to health, safety and welfare. Land subject to flooding, slides due to soil type or slope or excavation, excessive erosion, improper drainage, mine subsidence problems, or land unsuited for on-site sewage disposal shall be deemed hazardous and shall require a specific demonstration of measures to remove the identified hazard producing condition.

#### **401 PLANS AND DATA**

Submission of the following information at the preapplication conference is recommended:

- A. General Information - A general description of existing covenants, land characteristics, the availability of community facilities and utilities. Also, information relating to the proposed subdivision, such as the appropriate number of lots, typical lot width and depth, commercial areas, playgrounds, park areas, other public areas, proposed protective covenants, proposed utility and street improvements.
- B. Topographic and Location Map - Existing United States Geological Survey quadrangle sheet or other acceptable map in sufficient detail to show topographic features of the site.

- C. Sketch Plan - A simple sketch of the tract boundaries, proposed layout of streets, lots, significant topographic modifications contemplated and other features in relation to existing conditions.
- D. Timing - A projected timetable for development of the project, including the anticipated schedule of project phasing.
- E. Fee - No fee shall be charged for the Pre-Application Conference.

## ARTICLE V

### PRELIMINARY PLANS

#### 500 PROCEDURES

- A. Application - The Subdivider shall prepare and submit to the Township Planning Commission, by delivery to the Township Zoning Officer at least twenty (20) calendar days prior to the regular monthly meeting of the Planning Commission, copies of the preliminary plans of the total land to be<sup>1</sup> ultimately developed, together with payment of fees to cover required reviews and reports. The number of copies to be filed and the fees shall be specified by the Board of Supervisors. Applicants shall deliver copies and required fees to the Washington County Planning Commission for a review and report. The Township shall not approve such application until the County report is received, or until the expiration of thirty (30) days from the date the application was forwarded to the County.
- B. Planning Commission Review - The Township Planning Commission shall review the plan submitted covering the requirements of this Ordinance point by point, and shall consult with the Township Engineer and other officials as appropriate.
- C. Planning Commission Action - The Planning Commission shall notify the Subdivider of the scheduled meeting place, date, time and agenda if the plan is to be reviewed at a later date. Within thirty (30) days following the review meeting, the Planning Commission shall submit a written report to the Governing Body recommending approval, conditional approval or disapproval, each with reasons for the action. If the Planning Commission requests additional data or plan changes as conditions precedent to approval, the Subdivider may, in lieu of having a disapproval or conditional approval sent to the Governing Body, request another review meeting to provide the requested documentation. The Subdivider shall submit the request to the Planning Commission in writing within twenty (20) working days (Monday through Friday - holidays excluded) of the initial review meeting and shall further agree in writing to an extension of the original ninety (90) day review period, if requested by the Planning Commission.

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<sup>1</sup>See Section 501-D8K



- D. Action of the Governing Body - The Governing Body shall act on the preliminary plan and notify the Subdivider within ninety (90) days of the regular meeting of the Planning Commission next following the date the application is filed. The Governing Body shall state its approval, conditional approval or disapproval, giving reasons for each, and shall notify the Subdivider by certified or by registered mail. If approved or conditionally approved, the authorization to submit a final plan shall be included with the notification.
- E. Nature of Approval - Approval of a preliminary plan shall not constitute approval of a final plan, but rather an expression of approval of the layout submitted on the preliminary plan as a guide to the preparation of the final plan. (See Section 600A.)

**501 PLANS AND DATA**

All applications for preliminary plan approval submitted to the Township Planning Commission shall include, but not be limited to, the following information:

- A. The preliminary plan shall be drawn at a scale of one inch equals 50 feet or greater detail.
- B. Existing land uses, current zoning classifications, and adjacent land owners shall be shown for the subject property and contiguous land areas.
- C. A to scale location map shall be included which relates the development site to contiguous areas of the community, highway systems and other significant developments.
- D. The plan shall show or be accompanied by the following:
1. Draft of protective covenants, if any.
  2. Title to include:
    - a. Name by which the subdivision will be recorded.
    - b. Location by municipality, county and state.
    - c. Names and addresses of the owner or owners.
    - d. Name and seal of the Registered Land Surveyor who prepared the plan.
    - e. North point, date and graphic scale.

3. Existing easements, their location, width and distance.
4. USGS topographic contours shall be shown at vertical intervals of twenty (20) feet. Contour data of greater detail may be required for land areas with slope of ten percent (10%) or less. Contour lines must extend a sufficient distance on all sides of the property perimeter to determine adjacent topographic influences.
5. Datum to which contour elevations refer.
6. Bench marks. Monuments or pins must be shown delineating all property corners.
7. Existing physical features to include:
  - a. Watercourses, culverts, bridges and drains.
  - b. Buildings, sewers, water mains and fire hydrants, water wells and septic facilities.
  - c. Streets on or adjacent to the tract, including name, right-of-way widths and cartway widths.
  - d. Telephone conduit line, electric power transmission lines, petroleum product lines and other significant manmade features.
8. Proposed improvements shall include (in scale dimensions):
  - a. Location, name and width of all proposed streets and paved cartways.
  - b. All right-of-ways, easements and the purposes for which they are to be established.
  - c. Lot lines of all parcels.
  - d. Building lines.
  - e. Reservations of ground for public or common use.
  - f. General drainage plan for storm water to include proposed flow of storm water in relation to natural channels. (See APPENDIX No. 2)
  - g. A plan of proposed domestic water distribution systems.
  - h. A plan of the proposed sanitary sewerage system or a plan, where

required, showing the type of on-lot sewage disposal facilities. This plan shall be in accordance with the Pennsylvania Sewage Facilities Act (Act 537), as amended.

- i. Proposed land use of the improvements.
  - j. Names and addresses of abutting property owners.
  - k. Where the preliminary sketch plan covers only a part of the Subdivider's entire holding, a sketch shall be submitted of the prospective street layout of the remainder of the land.
- E. The Subdivider shall provide such additional information as may be required by the Planning Commission or Governing Body to more fully evaluate the proposed subdivision and its effect on adjacent property or the Township as a whole. Such information may include:
- 1. Street profiles showing existing ground elevations and proposed centerline street grades.
  - 2. Subsurface condition of the tract.
  - 3. Typical cross sections of roadways and sidewalks.
  - 4. Sizes of water pipes and location of valves and fire hydrants.
  - 5. Location of manholes, invert elevations, grades and sizes of sanitary sewers.
  - 6. A residential dwelling will not be permitted to be constructed in a designated flood plain, base flood elevation data shall be contained in the plan.
  - 7. If the proposed subdivision is located in or within proximity to a wetlands area, plans and measures for the protection of said area shall be included as a part of the application for subdivision approval.
  - 8. The size, location and use of structures on adjacent lands within twenty-five (25) feet of the proposed subdivision shall be shown in all instances where public right-of-ways or private accessways are contemplated along or within twenty-five (25) feet of the perimeter of the subdivision.
  - 9. Report on erosion control and related factors after consultation with the Washington County Soil Conservation District.

10. Certification and acknowledgments which shall include:

- a. Individual or corporate adoption, notarized.
- b. Individual or corporate acknowledgment, notarized.
- c. Guarantee of title and mortgagee's consent to record (if applicable).
- d. Surveyor's certification and seal.

F. The Subdivider shall pay the cost of planning, engineering and related professional, technical and legal assistance and studies determined necessary by the Planning Commission and/or Governing Body. All application and review fees must be paid in full prior to final approval by the Township Governing Body.

## ARTICLE VI

### FINAL PLANS

(Final Subdivision Plan or Final Site Plan Approval)

#### 600 PROCEDURES

- A. Application - Approval of a Preliminary Plan shall be prerequisite to the filing of a Final Plan with the Township Planning Commission, except that the requirement for a preliminary plan approval may be waived following a pre-application conference (See Article IV) provided that: (1) the subdivision plan complies with the definition for a Minor Subdivision; or (2) the Subdivider does not contemplate further subdivision of the parcel, submits a scale drawing of the entire parcel which delineates the areas to be subdivided, and complies with all requirements for final plans and includes information required in Section 501 of this Ordinance.
- B. Reviews and Approvals - The filing of final plans by the Subdivider and official reviews shall follow the same requirements and procedures as the requirements for preliminary plans as cited in Article V, Section 500A, B and C of this Ordinance.
- C. Action of the Governing Body - The Governing Body shall render its decision on the final plan and communicate its decision to the Subdivider not later than ninety (90) days following the regular meeting of the Planning Commission next following the date of application filing.
1. The decision of the Governing Body shall be in writing and shall be communicated to the Applicant by certified or registered mail at applicant's last known address not later than fifteen (15) days following the decision.
  2. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
  3. Failure of the Governing Body to render a decision and communicate it to the Applicant within the time and in the manner specified shall be deemed an approval of the application, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

4. From the time an application for approval of a preliminary or final plan is duly filed as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall effect the decision on such application adversely to the Applicant, and the Applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in government regulations. When an application for approval of a plan has been approved or approved subject to conditions acceptable to the Applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval, within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
  5. Before acting on any major subdivision plan, the Governing Body shall hold a public hearing thereon, after public notice, and shall notify surrounding property owners of such public hearing.
  6. The Governing Body shall not give their final approval to a final plan until the County Planning Commission report is received, or until the expiration of thirty (30) days from the date the final plan application was forwarded to the County.
- D. Nature of Approval - Approval of a final plan shall not constitute authorization to commence construction. Prior to construction start, all necessary permits, approvals, agreements and sureties must be secured by the Developer.
- E. Title Certificate - No final plan shall be approved by the Governing Body unless evidence of title or other proof of a proprietary interest in the land on the part of the Subdivider is furnished.

#### **601 PLANS AND DATA**

All applications for final plan approval shall include, but not be limited to, the following information:

- A. Shall be drawn on mylar or other comparable permanent and reproducible material, and shall be on sheets not larger than 24 inches x 36 inches, including a border of one-half inch on all sides, except the binding edge which shall be one inch. More than one sheet may be used for larger tracts and must be of the same scale and indexed, and provide space for required certifications.
- B. Shall be drawn with black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible printing or typing.
- C. Shall be drawn to a scale of one inch equals 50 feet or greater or such other scale approved by the Planning Commission and shall be of sufficient size to clearly show all notations, dimensions and entries. All dimensions shall be shown in feet and decimals of a foot.
- D. Shall contain a title block with the following:
  - 1. Name under which the subdivision is to be recorded;
  - 2. Date of plan, graphic scale and location of subdivision;
  - 3. Name of subdivision owner; and
  - 4. Name and seal of the Registered Land Surveyor preparing the plan.
- E. All final plans submitted shall be drawn according to the following:
  - 1. Streets and other ways by heavy solid lines;
  - 2. Perimetered property lines of subdivision by heavy dashed and two dotted lines;
  - 3. Lot lines by medium solid lines;
  - 4. Restriction of building lines by medium dashed lines; and
  - 5. Easements or other reserved areas by light dotted lines.
  - 6. Modifications of the above may be permitted to accommodate computer drafting processes.

F. The final plan shall show:

1. Primary control points or benchmarks approved by the Township Engineer, or description and ties to which all dimensions, angles, bearings, and similar data shall be referred, tract closures, boundaries with bearings, distances, acreage and tax parcel identification;
2. Acreage of each lot or parcel;
3. Tract boundary lines, right-of-way lines of streets, easements and their purpose, and other right-of-ways and property lines of lots and other sites with accurate dimensions, bearings or deflection angles, radii, arcs and central angles of all curves;
4. Name and right-of-way width of each street or right-of-way;
5. Location, dimensions and purpose of all easements;
6. Number to identify each lot or site;
7. Purpose for which sites other than residential are to be used;
8. Building setback line on all lots and sites
9. Location and description of survey monuments - a minimum of two (2) permanent concrete monuments per subdivision or phase with the remaining corners being iron pinned. A deposit of \$150 per monument shall be established in the developer's agreement to insure placement of the monuments.
10. Names, deed book and page numbers of recorded owners of adjoining land and land use;
11. Certification of Registered Surveyor showing name, address, registration number and seal;
12. Statement by the owner dedicating streets, right-of-ways, public utilities, facilities and sites for public use;
13. Protective covenants, if any, in form for recording;
14. Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of this Ordinance;
15. Certification blocks for the appropriate governing and planning bodies.



G. Submitted with the final subdivision or site plan shall be the following additional information:

1. Plan and Profile sheets for all streets with horizontal and vertical alignments and existing centerline profiles along with the location and size of storm sewers inlets, and invert elevations.
2. Typical cross sections of roadways and sidewalks.
3. A plan showing the size of water pipes and location of valves and fire hydrants. As built drawings shall be provided for all existing facilities.
4. A plan and profile showing the location of manholes, invert elevations, grades and sizes of stormwater and sanitary sewers.
5. A final grading plan.
6. A sedimentation and erosion control plan approved by the County Conservation District under authority of the Pennsylvania Department of Environmental Protection Rules and Regulations, Title 25, Chapter 102, Erosion Control, if determined necessary by the Planning Commission.
7. Planning Modules specified by PA-DEP.
8. A plan for placement of water, sewer, gas, electric, telephone and cable television service lines, as applicable, pursuant to the rules and regulations of the Pennsylvania Public Utilities Commission.
9. If the proposed subdivision is located in a designated floodplain, base flood elevation data shall be contained on the plan.
10. A complete storm water management plan for the subdivision or site plan, which includes all storm sewers and appurtenances, along with the method of disposal of all storm water collected and the method of drainage for adjacent territory. (See APPENDIX No. 2)
11. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, evidence shall be presented to the Governing Body that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a

commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

12. Final site plans must include topographical contours with intervals no greater than two (2) feet.

## ARTICLE VII

### MINOR SUBDIVISION

#### **700 PROCEDURES**

The Governing Body may waive the requirements of Articles V and VI for Minor Subdivisions, as defined in this Ordinance (see Section 301), which require no additional streets or street openings, upon application of the Subdivider for waiver of said requirements. In the case where a waiver is granted, an application for final plan approval shall be filed along with the plans and data required in Section 701, and shall be processed according to Article VI, Section 600.

#### **701 PLANS AND DATA**

Plans approved for waiver under Section 700 of this Ordinance shall include, but not be limited to, the following information:

- A. The proposed plan shall be drawn at a scale of one inch equals fifty (50) feet or greater.
- B. The proposed plan shall be legibly drawn on mylar or comparable permanent material not to exceed 24 inches by 36 inches.
- C. Location map.
- D. The plan shall show or be accompanied by the following:
  - 1. Description of covenants;
  - 2. Title to include:
    - a. Location by municipality, county and state.
    - b. Names and addresses of registered owner or owners and applicants.
    - c. Name and seal of Registered Surveyor who surveyed the property and/or prepared the plan.
    - d. North point, date and graphic scale.
    - e. Name of the subdivision.
  - 3. Proposed use of the land; name of applicant.

4. Lot dimensions and land area, with bearing and distances (Deed Book and Page Number of parcel).
5. Existing alleys and existing streets and/or easements adjacent to the tract; right-of-way widths and route numbers.
6. Available utilities (if public sewer and water, source and sewage disposal system should be indicated);
7. Planning Modules specified by PA-DEP; and/or tap-in permit for municipal sewer.
8. Names of abutting property owners;
9. Statement by the owner dedicating streets, easements, right-of-ways, and sites for public use;
10. Sketch plan showing the remainder of the parcel from which the subdivision is being made and the relationship of the site to contiguous areas of the community, highway systems, and other significant development, and conditions such as flood plains, wetlands or other environmental conditions;
11. Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of this Ordinance;
12. Any other data pertinent to the plan.

**702 RESUBDIVIDING OR REPLATTING**

In the combination or recombination of lots or portions of previously plotted lots, when the resultant lots are increased in street frontage and total area size so that they reach or exceed the standards of this Ordinance, and the street pattern is in conformity to the Comprehensive Plan, the procedures and regulations heretofore described shall apply except as they may be further relaxed by the Governing Body.

## **ARTICLE VIII**

### **DESIGN STANDARDS**

#### **800 APPLICATION OF STANDARDS**

The following minimum subdivision principles, standards, and requirements will be applied by Township officials in evaluating the plans for a proposed subdivision.

#### **801 LAND REQUIREMENTS**

- A. Land shall be suited for the purpose for which it is to be subdivided.
- B. No land shall be subdivided in a manner that landlocks or compromises the use or future development of contiguous or adjacent land areas.
- C. Every lot shall abut on a public dedicated street, except that a subdivision of not less than five (5) acres in area, divided into not more than three (3) lots served by a private access and utilities right-of-way of not less than fifty (50) feet in width, which private right-of-way shall not serve any other tract of land, may not, in the discretion of the Township Board of Supervisors, abut on a street. Within the right of way private access to utilities shall not be impeded.
- D. Where the literal compliance with the standards specified is clearly impractical, a modification may be granted in accordance with the procedures and criteria specified in Article XII of this Ordinance. Such modifications shall require the governing body's approval.
- E. Land susceptible to flooding, exceptionally high water table, unstable subsurface conditions, steep or unstable slopes, presence of high voltage or high pressure overhead or underground utilities, etc. shall not be approved for subdivision or development unless the hazards have been eliminated or unless the proposed plan shows safeguards, in the opinion of the Township Engineer, to protect the proposed use of the land.
- F. The subdivision or land development plan shall conform to the Township's Comprehensive Plan and Zoning Ordinance and shall represent a logical extension of the municipal street, sewer and water networks, or, if extending across municipal boundaries, to these networks in the adjoining municipalities.

#### **802 STREET REQUIREMENTS**

- A. Proposed streets shall be properly related to Township, County, and State road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.
- B. Streets shall be logically related to the topography to achieve usable lots and reasonable grades. (See APPENDIX No.1)
- C. Internal subdivision streets shall be laid out to discourage unnecessary through traffic, but provisions to coordinate adjacent area streets will be generally required.
- D. Where a subdivision plan abuts or contains an existing or proposed arterial street, the Governing Body may require local access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.
- E. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of this Ordinance, and where, in addition, satisfactory assurances (financial / bonding) for dedication of the remaining part of the street is secured.
- F. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
- G. Dead end streets shall be prohibited except as stubs to permit future street extensions or when designed as cul-de-sacs. Permanent cul-de-sac streets may be permitted when it is clear that through traffic at such a street end is not essential to the existing or future street system in that district, or to the development of adjacent properties in the area.
  - 1. Such streets, where permitted, shall not exceed 1,200 linear feet including the cul-de-sac. Temporary dead end street stubs shall terminate with cul-de-sacs if said street extensions are not made within one (1) year unless said street stubs are 250 feet or less in length and accommodate no more than four (4) building lots. (See Article VIII and APPENDIX No. 1)
  - 2. The turn-around shall have an outside pavement radius of not less than forty (40) feet and a right-of-way radius of not less than fifty (50) feet.
  - 3. The minimum grade of the turn-around portion of the cul-de-sac shall be one percent (1%).
  - 4. The maximum grade of the turn-around portion of the cul-de-sac shall be five percent (5%).

5. The minimum width of all lots abutting a cul-de-sac shall be fifty (50) feet on the arc at the right-of-way line.
- H. If lots resulting from original subdivision are large enough to permit additional subdivision, or if a portion of the tract is not subdivided, adequate street right-of-ways shall be provided as necessary to allow for future development activity.
- I. Reserve strips, restricting or controlling access to adjacent streets or properties shall be prohibited. This requirement shall apply equally where the end point of a cul-de-sac touches portions of an adjacent tract or land parcel. In such situations, a fifty (50) foot right-of-way shall be recorded on the plan to provide for future street extensions and all future utilities.
- J. Street Grades
  1. Center line grade shall be not less than two percent (2%).
  2. Center line grades shall, wherever feasible, not exceed the following:
    - a. Minor street: twelve percent (10%).
    - b. Collector and major traffic street: ten percent (10%).  
(See APPENDIX No. 1)
  3. Vertical and horizontal alignment should comply with standards of the American Association of State Highway and Transportation officials. (See APPENDIX No. 1)

K. Street Width

1. Minimum street dimensions shall be as follows:

Right-of way/All streets - 50 feet  
Cartway/Street Widths – (See APPENDIX No. 1)
2. Additional right-of-way and cartway width may be required by the Governing Body for the following purposes:
  - a. To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.

- b. To provide parking space in commercial districts and in areas of high density residential development.
3. Short extensions of existing streets with lesser cartway widths than prescribed above may be permitted, provided however, that no section of new right-of-way less than fifty (50) feet in width shall be permitted.

L. Street Intersections

1. Multiple intersections involving junction of more than four streets will be prohibited.
2. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
3. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet between their centerlines.
4. Minimum curb radii at street intersections shall be twenty (20) feet for intersections involving only minor streets, twenty-five (25) feet for intersections including other type streets, or such greater radius as is suitable to the specific intersection.
5. The sight distance at intersections should be based on the traffic control signing and intersection visibility based on Chapter 5 "Local Roads and Streets" in A Policy on Geometric Design of Highway and Streets.
6. Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. To the fullest extent possible, intersections with collector and arterial streets shall be located not less than 800 feet apart, measured from centerline to centerline.

M. Alleys shall not be permitted in any subdivision

- N. Private streets, either new or existing, (vehicular right-of-ways not dedicated for public use) shall not be approved, nor shall layout or improvements for lots abutting private streets be approved. No extension of an existing private street shall be approved until the original portion of the street complies with all requirements of this Ordinance and is dedicated for public use.

- O. Streets proposed for commercial or industrial land development purposes shall, if possible, be laid out to intersect directly with arterial and collector streets. Insofar as possible, traffic circulation systems for commercial and



industrial subdivisions shall be designed in a manner to eliminate or discourage traffic flow through residential areas.

**P. Driveways (Site Ingress and Egress)**

1. Commercial and Industrial ingress and egress (driveways) shall be designed to provide optimum visibility and to minimize traffic congestion in the vicinity of the development parcel. Traffic access design shall conform to the following requirements:
  - a. In addition to the information and data required by Section 501 and Section 601 of this Ordinance, all applications for preliminary and final plan approvals of subdivisions for commercial and industrial land development shall contain a traffic circulation plan showing:
    - (1) Locations and dimensions of vehicular ingress and egress for each development parcel.
    - (2) Location and access provisions for parking and loading for each development parcel.
    - (3) Available sight distances at all driveways.
  - b. Defined ingress and egress points shall be required for all commercial and industrial development parcels.
2. All driveways shall be constructed so as not to interfere with roadway drainage. Cross drains shall be constructed beneath the driveway where required to provide adequate drainage. Driveways shall be constructed consistent with requirements delineated in APPENDIX No. 1 of this Ordinance.

**803 LAND DEVELOPMENT REQUIREMENTS**

A. The following general provisions shall apply to all subdivisions of land:

1. All lot area and minimum yard and setback designations as required by Robinson Township Zoning Ordinance shall be dimensioned from public right-of-ways where applicable. No lot area requirement or setback shall be computed from within a public right-of-way.
2. The frontage width of lots abutting a cul-de-sac shall be determined as the radial width at the building line.
3. All lot lines shall be set perpendicular or radial to the centerline of the street whenever possible.
4. Lots abutting local streets shall front on the streets that parallel the long dimension of the block, if possible.
5. All lots shall abut by their full frontage on a publicly dedicated street. Lots abutting on a private street or easement shall not be approved, except that lots developed on private streets in existence prior to the enactment of this Ordinance may be approved. Private streets shall not be extended to permit additional lot development.
6. No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two (2) feet of horizontal distance between abutting lots, unless a retaining structure is installed in accordance with specifications approved by the Township Engineer and the Governing Body.

B. Lots laid out for residential purposes shall be subdivided in accordance with the provisions of the Township Zoning Ordinance with respect to lot area, lot width, setbacks, yard requirements and other applicable requirements.

C. Lots and tracts of land laid out for nonresidential purposes shall be subdivided in accordance with the provisions of the Township Zoning Ordinance with respect to lot area, lot width, setbacks, yard requirements, and the following additional guidelines:

1. The location of areas designated for structures, points of ingress and egress, internal site accessways, off-street parking and loading areas and generalized land use proposals shall be included as a part of all Final Plan applications for nonresidential purposes.
2. The Planning Commission may recommend and the Governing Body may authorize block platting in place of lot platting for nonresidential purposes

to provide the developer maximum flexibility, provided that no block shall be subdivided in such a way that any subsequent lots would be smaller than the minimum size authorized by the Zoning Ordinance.

3. The developer shall demonstrate every effort to protect adjacent existing or potential residential development sites through the provision of guarantees or other appropriate procedures or amenities designed and established for the purpose of mitigating adverse influences resulting from business activities. The same applies for non residential use of property.

#### **804 EASEMENTS**

- A. Utility and public utility easements shall have a minimum width of twenty (20) feet and be placed at the side or rear of lots if possible. When the Governing Body determines that conditions are suitable for utilities and/or public utilities, an easement reservation will be required.
- B. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse, and of such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance by adjacent property owners, but not less than twenty (20) feet. Where applicable, federal, state and local flood maps and data shall be employed to determine the location of easements or right-of-ways required by this Ordinance.

#### **805 SIDEWALKS**

Sidewalks and crosswalks shall be installed by the Subdivider or Developer along public streets or at other locations deemed necessary for public safety if determined necessary by the Governing Body because of safety or relationship to contiguous development. All installations shall be designed for handicapped access. Sidewalks shall be required on both sides of the street for PRD developments. Minor subdivisions may have sidewalks on one side of the street.

#### **806 RESERVED AREAS**

Reserve strips surrounding property, or areas reserved for any purpose that shall make any area unprofitable for regular or special assessments, or that may revert to an untended nuisance area, shall not be approved by the Governing Body.

#### **807 STREET NAMES AND NUMBERING**

- A. The Subdivider may choose their street names subject to the approval of the Governing Body. No street, other than an extension, may be given the name of an existing street in the Township's postal service area.

- B. Streets laid out opposite another street shall be given the same name or number of the opposite street.
- C. All house numbering systems shall be coordinated with the numbering of existing development in the area and approved by the Planning Commission and the Governing Body.
- D. Emergency Communication System

***1. Posting of Address Identification Number Required***

The property owner of each residence, apartment building or business shall post and display the legally assigned identification number assigned by the Township within sixty (60) days after said numbers are received by the Township in cooperation with the U. S. Post Office.

***2. Regulations Regarding Size, Posting and Display of Address Identification Numbers***

- a. Size - The minimum size of any identification number which is attached to a building, residence or mobile home is four (4) inches in height. The minimum size of an identification number which is attached to a United States Postal mailbox is one (1) inch in height.
- b. Color - The color of the identification numbers must be such that it is clearly visible as it relates to the background color upon which it is attached.
- c. Posting -
  - (1) Every building, residence or mobile home must have the identification number posted on its United States Postal mailbox if such a mailbox is utilized and located directly in front of the residence, building or mobile home.
  - (2) Any residence, building or mobile home that does not utilize a United States Postal mailbox that is located directly in front of the residence must place an identification number directly on the residence, building or mobile home in a conspicuous place.
  - (3) All residents and owners are encouraged to use both locations described above to clearly mark their residence, building or mobile home.

(4) All identification numbers must be clearly visible from the street or road which provides public access to the premises and cannot be obstructed by vegetation, trees or any other object.

(5) If any residence, building or mobile home would not be visible from the street or road and does not utilize a United States Postal mailbox, identification numbers must be posted on a post or masonry pillar visible from the street or road.

**808 ACCESS**

Subdividing land shall be done in a manner that will not bar adjacent property owners from access to streets and ways of alignment or otherwise preclude the development of surrounding land areas.

**809 PUBLIC USE AREAS**

Provisions for improvement and maintenance of any open space and recreation areas set aside as common space shall be guaranteed by appropriate bonds or similar provisions satisfactory to the Governing Body.

**810 VEGETATION**

Trees, shrubbery and similar vegetation shall not be established within a road right-of-way, except as specifically authorized by the Board of Supervisors.

Trees, shrubbery and similar vegetation shall not be established in proximity to a road right-of-way in a manner that interferes with clear site access from the road cartway.

## ARTICLE IX

### IMPROVEMENTS

#### **900 GRADING (See the current Grading & Excavating Ordinance for the latest ordinance requirements)**

- A. Streets shall be constructed to grades and cross sections as cited on, and presented with, the plans and street profiles, in conformance with Township specifications. (See Section 802-J)
- B. Street shoulders shall be graded to the full width of the street right-of-way (minimum 50 feet) in accordance with Township construction standards, and thoroughly compacted by rolling all shoulders. The Planning Commission may recommend, and the Supervisors may approve, a lessening of this requirement where the preservation of unique environmental features or mature plant materials are threatened.
- C. The subgrade of a street shall be brought to the proper grade and contour, and shall be rolled and cross rolled. All soft spots shall be removed. These soft spots shall be recompacted with a suitable firm material, approved by the Township Engineer, before the placing of any base material.
- D. No base course shall be placed until the subgrade has been inspected and approved by the Township.

#### **901 UNDER DRAINAGE**

- A. Pipe underdrain, stone underdrain or subgrade drains shall be constructed according to specifications approved by the Township Engineer, in areas where springs, poor soil drainage conditions, wet weather springs or other conditions exist that require underground drainage.
- B. If during construction, unknown adverse drainage conditions are encountered by the developer, the Township Engineer shall be notified and such conditions shall be corrected at the direction of the Township Engineer.
- C. Cross drains of a minimum fifteen inches (15") diameter pipe shall be placed wherever necessary to transfer the water across the road in the natural water course and at road intersections whenever needed.
- D. When laying out plans to be submitted for approval by the Governing Body, suitable easements shall be provided for drainage right-of-ways in the natural water courses or for storm water drains where necessary.

## **902 CURBING**

- A. The requirements of curbs or curbs and gutters may vary in accordance with the character of the area and density of development involved.
- B. The type of curbs used, when specified by the Developer or when required by the Governing Body, are to be approved by, and subject to, the Township Engineer's approval before installation. At a minimum, paving of cartway shall be at least twenty-three feet (23') in width including one and one half foot (1½') asphalt wedge curbs, or approved equal, by the Township Engineer.

## **903 STREET CONSTRUCTION REQUIREMENTS**

- A. All street construction, including sub-base and wearing course, shall be constructed in accordance with Township specifications. (See APPENDIX No.1)
- B. The Governing Body may specify an alternate pavement design where the drainage of the subgrade, the size of the development and the nature of the traffic warrants.
- C. All construction work, including grading, drainage, base course and surfacing, shall be performed by the Developer or his representatives under the direct supervision of the Township Engineer or the Township's authorized representative, and all costs for said supervision are to be paid by the Developer prior to the final acceptance by the Township.
- D. The Developer shall furnish record plans and deed for recording of all streets as actually constructed for the files of Robinson Township, the cost of this to be paid by the Developer.
- E. Utility line area locations shall be established in accordance with APPENDIX No. 1, which is a part of this Ordinance, unless variations are authorized by the Robinson Township Board of Supervisors.

## **904 STREET PAVEMENT STANDARDS**

Local and collector access streets shall be constructed in accordance with APPENDIX No. 1, which is a part of this Ordinance.

**905 SIDEWALKS**

- A. Sidewalks, when required by the Governing Body, shall be constructed in conformity with Township specifications as determined and approved by the Township Engineer or authorized agent.
- B. All phases of construction shall be in accordance with this Ordinance and design standards established and approved by the Township; the forms shall be inspected prior to pouring, and finished walks shall be inspected by the Township Engineer or authorized agent.
- C. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such walks shall have a width of not less than four feet (4').
- D. Sidewalks may be required on both sides of the street in subdivisions where multi-family structures are planned. Sidewalks may also be required in subdivisions where the character of the neighborhood is such that it would be deemed necessary, or if it would be desirable to continue sidewalks that are existing in adjacent subdivisions, or to provide access to community facilities such as schools, shopping areas and recreation areas.

**906 STREET SIGNS**

Street name signs and traffic control signs, as specified by the Township Board of Supervisors, shall be installed at each street intersection in accordance with the type of materials, designs and standards officially established for use throughout the Township.

**907 STORM DRAINAGE AND FACILITIES (See APPENDIX No.2 for latest stormwater management requirements)**

All storm drainage facilities shall be adequately designed for the anticipated runoff when the area is fully developed, using criteria or other methods approved by the Township Engineer. Storm drainage facilities shall comply with, but are not limited to, the following:

- A. Storm sewers shall be located in the street right-of-way or in designated drainage easements.
- B. All pipe culverts and related installations used in the construction of storm sewers shall be in accordance with standards and specifications of the Township, County and State, as designated and approved by the Governing Body and Township Engineer.



- C. Manholes or inlets will generally be required at changes in alignment and grade. Stormwater inlet spacing shall not exceed 400 linear feet from center to center. (See APPENDIX No. 1)
- D. At no time will roof drains or foundation drains be allowed to be connected to a sanitary sewer system.
- E. Any springs encountered during construction shall be piped and connected to the storm sewer system or extended to a natural watercourse as may be approved by the Township Engineer.
- F. Concrete headwall and splash aprons shall be constructed at the outfall of all storm sewers. Where watercourses are piped and filled, concrete headwalls and splash aprons shall be constructed at both ends of the pipe. (See APPENDIX No. 1)
- G. Whenever construction stops, alters or concentrates the natural flow of surface drainage in any manner that affects adjoining parcels, plans shall be submitted that detail proposals for handling said water runoff. All such plans shall be subject to the approval of the Township Engineer and shall meet all applicable federal, state and local criteria, policies, rules and regulations.
- H. All bridges and culverts shall be designed to support expected loads and to carry expected flows, and shall meet the current specifications and standards of the Commonwealth of Pennsylvania, Department of Transportation.
- I. A complete stormwater management plan of the subdivision site plan shall be submitted, including all necessary storm sewers and appurtenances, the design of which is based on a minimum twenty-five (25) year storm frequency, except in those areas where in the judgment of the Township Engineer or Governing Body, the likelihood of exceptional damage resulting from storm water is such that additional design criteria is required. The drainage plan shall show the method of drainage of adjacent and contiguous territory and the method of disposal of all storm water collected. The drainage plan shall be accompanied by design calculations. (See APPENDIX No. 2 for latest stormwater regulations)
- J. The storm drainage system shall be provided as necessary to:
1. Discharge storm water runoff into common natural watercourses. All Stormwater Grates will be ASHA approved.
  2. Adequately drain all low points along streets.
  3. Intercept street storm water runoff at intervals related to the extent and grade of the area drained.

4. Provide positive drainage away from sewage facilities.
  5. Handle existing off-site runoff through the subdivision.
  6. Insure safe and proper disposal of storm water where open watercourses are planned, through adequate safety, erosion and aesthetic measures.
- K. Storm water management shall meet all State, County and local standards. Structures shall be constructed consistent with APPENDIX No. 1, which are apart of this Ordinance, unless changes are authorized by the Board of Supervisors.
- L. The Stormwater Management Plan shall be designed such that the post-development peak runoff rates from the site at each point of discharge never exceed the pre-development rates based on the 2-, 5-, 10-, 15-, 20-, 25- and 100-year storm events or other design storms as may be required by the Township Engineer. (See APPENDIX No. 2 for more specific requirements)
- M. All stormwater roof drains must tie-into a piped stormwater system and not discharge directly to a roadway or existing ground.

**908 MONUMENTS/BENCHMARKS**

Monuments shall be placed in all subdivisions as determined by the Township Engineer. Monuments shall be permanent reference monuments of a size and material as delineated in APPENDIX No. 1 of this Ordinance. Iron pins shall be placed at all subdivision boundary corners, angle points, points of curvature, lot corners, and intermediate points as determined by the Township Engineer.

**909 STREET TREES**

Should the Subdivider plan to provide trees, their proposed location, spacing and species must be submitted for approval to the Governing Body.

**910 RECREATIONAL SPACE**

- A. In reviewing subdivision plans, the Planning Commission shall consider the adequacy of existing and proposed community facilities to serve Township residents.
- B. Subdividers may give consideration to providing or reserving areas for community facilities and recreation facilities.
- C. Recreation and community facilities developed totally or in part on land provided by a developer shall be established consistent with the following criteria:

1. Facilities and areas shall be located in a manner to best serve both the municipality and the future inhabitants of the development or subdivision.
2. Facilities and areas shall be located on land that is topographically suitable and safe from traffic and other safety hazards and readily accessible to the general public.

#### **911 NATURAL CONDITIONS AND EROSION CONTROL**

- A. In wooded areas or where other natural conditions exist in such a manner that their presence adds to the desirability of a subdivision, the Governing Body shall require that the subdivider preserve as much of the original vegetation and natural conditions as is economically feasible, and require that a minimum of grading be done other than the grading and excavating that is required in the construction of the improvements, in accordance with the standards included herein.
- B. All development and earthmoving activities subject to applicable law under the Pennsylvania Department of Environmental Protection, Title 25, Chapter 102, Erosion Control, shall be complied with.
  1. The developer shall notify the County Conservation District immediately upon making application for a building permit involving an earthmoving activity that affects one (1) or more acres of land.
  2. The Township shall not issue a building permit for a development where it has been determined that the earthmoving activities require a permit (or verification that no permit is required) from the Department of Environmental Protection, pursuant to Section 102.41 and 102.42 relating to permit requirements of Title 25, Chapter 102, Erosion Control.
- C. In cases where the cross slope exceeds ten percent (10%) as shown on the grading plan, sod or seed shall be required to retain soil and prevent damage to finished street or lot grades. In all cases where the developer removes the sod, he shall immediately upon completion of grading (weather permitting), reseed such areas with common farm grass. In cases where the home builder creates side terraces, they shall immediately upon completion of grading, be seeded with perennial rye grass or better.

#### **912 WATER SUPPLY**

- A. If water is supplied from other than private wells on individual lots, the developer shall verify that the water supply is from a public utility having a "Certificate of Public Convenience" from the Pennsylvania Public Utility Commission, a bona fide lot owners association, or a municipal entity.

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- B. If public water is available or definitely planned for the area, it shall be utilized. Public water service is deemed to be available where the distance from the access point of a main to the beginning point of a distribution system for the plan is one thousand feet (1,000') or less.
  - C. The developer shall supply and install all materials associated with the fire hydrant(s) as well as the fire hydrants themselves. Spacing of hydrants to be as specified by the Township Second Class Code and the Township Fire Department. The Developer is also responsible for the maintenance of the fire hydrant(s). A fund for the maintenance of these hydrants shall be established by the developer and controlled by the governing body of the township.
  - D. The materials and installation thereof shall comply with the requirements set forth by the local water utility company and by the municipality.

### 913 **SANITARY SEWERS**

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- A. Sanitary sewer service is deemed to be available where the average distance from a main to the beginning point of a collection system for the development is eight hundred feet (800') or less, unless the service is not topographically feasible.
  - B. If public sewers are available or definitely planned for the area, the developer shall extend the main line to serve all lots in the subdivision. This main line extension shall be designed and constructed according to the specifications of the utility authority that provides sanitary sewer services.
  - C. Where municipal sewers are not available, the installation of a private sanitary sewage treatment plant and other appurtenances shall be subject to approval by the Pennsylvania Department of Environmental Protection and the Governing Body.
    - 1. In areas of the Township not presently served by public sewers, but in which they are to be installed within a reasonable time, in the opinion of the Planning Commission based on studies of the area, the Commission may require that capped sewer mains and house connections be installed in all subdivisions of twenty (20) lots or more in addition to the required on-site facilities. The plans for the installation of a sanitary sewer system shall be prepared for the subdivision and approved by the engineer of the Municipal Authority to which it will be connected and the Pennsylvania Department of Environmental Protection. The Engineer or authorized representative of the Municipal Authority shall inspect the sewer line
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before it is covered over. Upon completion of the sanitary sewer installation, one copy of each of the plans for such system as built shall be filed with the municipality and the Pennsylvania Department of Environmental Protection.

2. In instances of severe conditions deemed unsuitable for on-site septic systems, the Planning Commission may recommend that the Governing Body require that the developer shall install adequate sewage treatment facilities as approved by the Township Engineer and the Pennsylvania Department of Environmental Protection. In these cases, plans for such sewage treatment facilities, instead of on-site septic systems, must be approved by the above mentioned departments before final approval of the subdivision may be given.
- D. Private sewage disposal systems on individual lots shall be laid out and constructed in compliance with the Pennsylvania Department of Environmental Protection regulations.
- E. No building permit will be issued for any construction or subdivision development until either an individual sanitary sewage disposal system, a sanitary sewage treatment plant installation or connection to a municipal sewerage system has been approved by the Governing Body or authorized agent thereof and the Pennsylvania Department of Environmental Protection, pursuant to the rules and regulations of the Pennsylvania Sewage Facilities Act (Act 537) as amended.
- F. No subdivision shall be approved for development by the Governing Body until the developer provides certification that mutually acceptable agreements have been reached between the developer and applicable private or municipal utility authorities relative to utility system installations, maintenance, ownership of facilities, tap fees and other related considerations.
- G. Sanitary sewers shall be extended to the perimeter of the SUBDIVISION or LAND DEVELOPMENT to allow service to adjacent properties.

#### **914 GENERAL REGULATIONS**

- A. No developer shall proceed with the construction of any utilities or improvements, or make connection to any existing Township facility or utility system, without proper inspection by an authorized official or representative thereof. Drawings and specifications shall be provided in sufficient detail to show the form, construction and method of installation of the following and shall accompany or otherwise be a part of the subdivision plan.
1. Streets, gutters and culverts

- 2. Storm sewers and surface drainage facilities
- 3. Water system
- 4. Sanitary sewers and septic tanks
- 5. Survey monuments
- B. No person shall dig or make any cuts or changes whatsoever in the cartway, gutters or right-of-ways of any Township, County or State road without first obtaining required permits.
- C. No person shall connect to any water line, storm or sanitary sewer without obtaining a permit and paying the proper connection charge.
- D. Grade stakes shall be set and cut sheets prepared and a copy furnished to the Township Manager and Engineer before any work is started.
- E. The developer shall notify the Township Engineer at least twenty-four (24) hours prior to his intention to proceed with the construction or installation of said streets and improvements or any other work related to the improvements.
- F. Inspection reports shall be prepared by an inspector authorized by the Governing Body.
- G. Upon completion of the required improvements, a plan and profile of all the improvements in the subdivision or land development as constructed shall be filed with the Township.
- H. In all respects in which standards for required improvements are not set forth herein or specified by the Governing Body hereunder, the applicable State and Municipal standard requirements shall govern.

**915 CONSTRUCTION DETAILS (See APPENDIX No. 1)**

- A. Improvements required by this Ordinance shall be constructed in accordance with all applicable requirements contained herein and shall be designed consistent with construction standard details provided by the Township. (See APPENDIX No. 1)
- B. Commercial and/or industrial lot development shall be undertaken in accordance with all applicable requirements contained herein consistent with site plan guidelines and standards provided by the Township.



## ARTICLE X

### GRADING REQUIREMENTS

(See Grading & Excavating Ordinance for specific requirements)

#### **1000 PURPOSE**

The purpose of this Article is to provide minimum standards to safeguard persons and property, to protect and to promote the public welfare, by preventing excess erosion, hazardous rock formations and soil slippage, sediment production and other soil and water management problems, and by regulating and controlling the design, construction quality of materials, use, location and maintenance of grading excavation and fill. Where this Ordinance conflicts with the Township's Grading and excavating Ordinance the more strict of any requirements set forth in either Ordinance shall apply.

#### **1001 SCOPE**

A grading permit must be obtained from the Township for new grading, excavations and fills; changes, additions or alterations made to existing excavation or fills shall conform to the provisions of these regulations. A separate grading permit shall be required for each site. One permit may cover the grading, excavation and any fills made on the same site.

Only one permit is required for a continuous parcel to be graded for a proposed major planned development, such as residential planned unit development or a planned industrial park when adequate standards or requirements for grading the parcel are approved by the Township.

#### **1002 EXCEPTIONS**

- A. Except as required by the Township Grading and Excavating Ordinance, grading permit will not be required for any of the following situations.
- B. When grading is limited to mining, quarrying or stockpiling of coal, rock, sand, aggregate or clay that satisfy requirements of regulations of the Commonwealth of Pennsylvania.
- C. When grading is limited to solid waste disposal areas or sanitary landfills operated in accordance with the requirements, rules and ordinances adopted by the Pennsylvania Department of Environmental Protection.
- D. When soil excavated under the authorization of a building permit issued by the governing body is temporarily stockpiled on the same site as excavation, provided, however, that if the material from such excavation is thereafter to



be used for fill purposes for which a grading permit is required, such permit must be obtained prior to such use in accordance with the requirements of this Ordinance.

### **1003 HAZARDOUS CONDITIONS**

Whenever the Board of Supervisors, upon the recommendation of its Engineer, determines that any existing excavation, embankment or fill has become a hazard, the owner of the property upon which the excavation, embankment, or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Engineer shall within the reasonable period specified therein repair, reconstruct or remove such excavation, embankment, or fill so as to eliminate the hazard.

If, after such notification, the property owner has not made the necessary repairs within the time adopted, then the Robinson Township Board of Supervisors may direct government employees to make the required repairs and the cost thereof shall be borne by the property owner by a lien filed as provided by law.

### **1004 APPLICATION**

Every applicant for a grading permit shall file a written application therefore with the Zoning Officer in a form prescribed by the Township. Such application shall:

- A. Describe the land on which the proposed work is to be done by lot, block, tract or street address, or similar description which will readily identify and definitely locate the proposed work area.
- B. Be accompanied by plans and specifications prepared, signed and sealed by a professional engineer, surveyor or architect giving a reasonable picture of the site and proposed soil erosion controls, if any. The Zoning Officer/ Township Engineer may waive the preparation or approval and signature by the professional engineer, surveyor, or architect only when it is self-evident that the proposed work is simple, clearly shown on the plans submitted, and creates no potential nuisance to adjacent property or hazard, and does not include the construction of a fill upon which a structure may be erected. Such plans may include a description of the site proposed for grading; accurate location by lot, block, tract, street address, longitude and latitude, co-ordinants, a location map showing the present contours of the land and the proposed cut or fill which show the method of benching both cut and/or fill. In addition, a plot plan may show the location of the grading, boundaries, lot lines, neighboring streets or ways, buildings, surface and subsurface utilities and waterways. In addition, plans may include a description of the type and classification of the soil from the Soil Survey or better; details and location of any proposed drainage structures and pipes, walls and cribbing; seeding locations and schedules, debris basins, diversion channels; nature

of fill material, method of placement, type of compaction testing, and such other information as the Zoning/Code Enforcement Officer may need to carry out the purposes of this Ordinance. All plans shall be dated and bear:

The name and seal of the Professional Engineer who prepared the same.  
The name of the Applicant.  
The owner of the land.

Plans shall be submitted in triplicate one set of which shall be of reproducible nature.

C. State the estimated dates for the starting and completion of grading work.

D. State the purpose for which the grading application is filed.

To be adequate, a geological report will include a detailed description of the geological conditions of the site; shall include conclusions and recommendations that will demonstrate the relationship of the geological conditions to the proposed development, including hazardous conditions, water resources, mineral resources and environmental impact. A soil conservation report may include existing site description as to topography, drainage, cover and soils; major resource problems as to soil limitations, erosion and sediment potential and surface runoff changes; and recommendations to minimize soil limitations, erosion and sediment, and surface water disposal problems.

The Zoning/Code Enforcement Officer may obtain additional information and reports from governmental agencies, and scientific and/or engineering journals, if available, and professional engineers and/or professional geologists, if necessary.

In no case shall the Zoning/Code Enforcement Officer require more than minimum adequate standards, as recommended by governmental agencies, professional engineers or engineering geologists, and other requirements specified in this Ordinance, for issuing a grading permit.

#### **1005 COMPLETION AND PERFORMANCE GUARANTEE**

Before issuance of a grading permit, the applicant shall post a bond, corporate surety, or other approved security in the amount of ten percent of the estimated cost in excess of \$5,000.00 of the grading work and erosion control facilities, as determined by the Board of Supervisors, to guarantee said work and facilities will be completed in a satisfactory manner and meet the requirements of this Ordinance. No bond shall be required if another bond or other approved security is posted for construction and/or site improvements. When all requirements of this permit have been met and the work has been completed in

a satisfactory manner, the full amount of security shall be returned to the person posting said security.

#### **1006 EXPIRATION OF PERMIT**

Every grading permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within one year or is not completed within three years from the date of issue, provided that the governing body, acting upon the recommendation of the Zoning/Code Enforcement Officer, may, if the permit holder presents satisfactory evidence that unusual difficulties have prevented work being started or completed within the specified time limits, grant a reasonable extension of time and, provided further, that the application for the extension of time is made before the date of expiration of the permit. Any physical changes in the site such as surface water drainage, soil and bedrock dislocations, alteration of groundwater discharge or any other natural or manmade modification which would cause a doubt to be cast upon the feasibility of the contents of the original permit approval, must be reported to the Zoning/Code Enforcement Officer in the intervening period between approval of permit and completion of the project.

#### **1007 DENIAL OF PERMIT - APPEAL**

When the requirements of this Ordinance for obtaining a permit have been met, the Zoning/Code Enforcement Officer and Township Engineer shall approve the proposed plan and grant a grading permit to the applicant. Approved work may then start. However, when, in the opinion of the Zoning/Code Enforcement Officer/Township Engineer, work proposed by the applicant is likely to endanger any property or person, or any street or alley, or create hazardous conditions, the grading permit shall be denied. In determining whether the proposed work is likely to endanger property or streets or alleys, or create hazardous conditions, the Zoning/Code Enforcement Officer/Township Engineer shall give due consideration to: possible saturation by rains, earth movements, run-off surface waters and subsurface conditions such as the stratification and faulting of rock, aquifers, springs, and the nature and type of the soil or rock.

The Township Board of Supervisors shall consider within 15 days appeals from the provisions of these regulations or from the denial by the Zoning/Code Enforcement Officer/Township Engineer, and the Township Board of Supervisors within 15 days shall consider alternate methods, standards or materials proposed by the developer, when, in his opinion, strict compliance with the provisions of these regulations is unnecessary. Any applicant or permit holder shall have the right to appeal to any Court or competent jurisdiction from any decision of the governing body.

## **1008 GRADING INSPECTION AND SUPERVISION**

- A. The permittee or his agent shall notify the Zoning/Code Enforcement Officer in writing of the start and completion of each continuous grading operation. Notice shall be received by the Zoning/Code Enforcement Officer at his office at least two working days before start or completion of grading operations.
- B. Grading work at these stages or at any other time will be subject to spot inspections at the discretion of the Zoning/Code Enforcement Officer/Township Engineer to determine that the work is being performed in compliance with these regulations and the approved plans and specifications. The results of any compaction testing required by the permit shall be made available upon request. All costs of inspections shall be borne by the Permittee.
- C. In special cases, when grading occurs in areas of landslide-prone soil as recognized by the Soil Survey or better, the Zoning/Code Enforcement Officer/Township Engineer may require special precautions from the grador. The results of all soil tests and core borings made relating to the site graded shall be submitted to the Zoning/Code Enforcement Officer/Township Engineer.

## **1009 STANDARDS FOR EXCAVATION**

- A. Maximum slope steepness of a cut should normally be two horizontal to one vertical for minimizing erosion and landslide hazard. However, soils which have a low probability of being landslide prone shall be permitted to have a slope no steeper than two horizontal to one vertical.
- B. Cut slopes which are steeper than those specified above may be allowed under a grading permit, provided one or both of the following is satisfied:
  - 1. The material in which the excavation is made is sufficiently stable to sustain a slope steeper than the slope specified above for recognized soil conditions on the site. A written statement, signed and sealed by a professional engineer, stating that the steeper slope will have sufficient stability and that risk of creating a hazard will be slight, must be submitted to the Zoning/Code Enforcement Officer.
  - 2. A retaining wall or other approved support, designed by a professional engineer and approved by the Township Engineer is provided to support the face of excavation.
- C. The top of bottom edge of slopes shall general be set back three feet (3') from adjacent property lines or street right-of-way lines in order to permit the

normal rounding of the edge without encroaching on the abutting property or street and to provide access to the slope for repairs and maintenance.

- D. In previously mined areas, it is the owners responsibility to insure the structural stability and suitability of all subsurface conditions.

#### **1010 STANDARDS FOR FILLS**

- A. No fill should be placed over trees, stumps or other material which could create a hazard.
- B. All fills should be compacted to provide stability of fill material and to prevent undesirable settlement or slippage. Compaction testing may be required.
- C. Clean soil or earth should be placed over the top and exposed surfaces of the fill to a depth sufficient to conceal all materials used in the fill other than clean soil or earth. If the filling operation is intermittent, the top and exposed surfaces of the fill should be so covered at the completion of each lift.
- D. The top or bottom edge of slopes should generally be set back three feet (3') from adjacent property lines or street right-of-way lines in order to permit the normal rounding of the edge without encroaching on the abutting property or street and to provide access to the slope for repairs and maintenance.
- E. Maximum slope steepness in fill areas should not exceed three (3) horizontal to one (1) vertical.
- F. Fill slopes which are steeper than those specified above may be allowed under a grading permit, provided one or both of the following are satisfied:
  - 1. A written statement, signed and sealed by a Professional Engineer is provided stating that the steeper slopes will be sufficiently stable and will not create a safety hazard.
  - 2. A retaining wall designed by a Professional Engineer is provided and approved by the Township Engineer.

#### **1011 PROPERTY OWNER RESPONSIBILITIES**

- A. The owner of any property on which an excavation or fill has been made shall maintain in good condition and repair the excavation or fill permitted, and also all retaining walls, cribbing, drainage structures, fences, ground cover, and any other protective devices as may be a part of the permit requirements.

- B. If, at any time subsequent to the completion of the grading work, the cut face or fill slope shall evidence signs of deterioration, erosion, or other evidence which might be detrimental to the properties above and below the grading site, the Robinship Township Board of Supervisors, upon the recommendation of the Zoning/Code Enforcement Office and Township Engineer, may direct the property owner to take necessary remedial steps which may include the submission of revised plans and specifications in accordance with sound engineering practice, to restore the grading to a safe condition, and to do so in a reasonable period of time.
- C. In the case of previously deep mined or surface mined property, there may be trees or other waste materials buried in non-compliance of township ordinance or state law. In such a case the land owner shall inform the governing body and prospective buyer of the composition of the buried waste and shall be required to remove all such materials and restore the ground to a suitable condition that it may be developed.

#### **1012 LIABILITY**

Neither the issuance of a permit under the provisions of this article, nor the compliance with the provisions hereto or with any condition imposed by the building official hereunder, shall relieve any person from any responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the Township for damages to persons or property.

#### **1013 VIOLATION AND PENALTIES**

No person shall construct, enlarge, alter, repair or maintain any grading, excavation or fill, or cause the same to be done contrary to or in violation of any provision of this Ordinance. When written notice of any of the provisions of this Ordinance has been served by the Zoning/Code Enforcement Officer on any person, such violation shall be discontinued immediately or within a reasonable time limit specified in such notice. If violation is not discontinued, or extends beyond the specified time limit, the Zoning Officer shall revoke the grading permit and the violation is subject to fine as prescribed in this Ordinance.

## ARTICLE XI

### CONDITIONS OF ACCEPTANCE

#### **1100 PERFORMANCE REQUIREMENTS**

Before approving any final subdivision or site plan, the Governing Body shall require a written agreement, and appropriate financial surety as specified in Section 1101 hereinbelow, that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers and sanitary sewers, and setting of monuments, as may be required by the Township, shall be installed by the developer in strict accordance with the design standards and specifications of the Township, within a specified time period.

#### **1101 PERFORMANCE GUARANTEE**

The Governing Body shall insure, through receipt of certificates of compliance submitted and attested by the Township Engineer, that the required improvements have been installed according to the specifications of the final plan, or alternately require the posting of adequate surety to cover the cost for such improvements. The Governing Body may also insure, through the posting of bonds or other surety acceptable to the Township, the maintenance of existing public right-of-ways and road surfaces which are in any manner utilized for transport or related purposes during development and construction associated with subdivision development. The Governing Body shall specify one of the following alternatives, or such other alternatives as may be acceptable, for guaranteeing compliance with the requirements of this Section. Decision of which alternative shall be required is that of the Governing Body. Final approval of a plan may not be granted by the Governing Body until the surety required is fully provided. In any event, the required surety shall be secured along with the written agreement prior to any construction or related activity.

- A. Completion of Improvements Prior to Final Approval - Prior to final plan approval, the developer shall complete, in a manner satisfactory to the Governing Body and the Township Engineer, all improvements required in these regulations as specified in the final subdivision plan, and as approved by the Governing Body, and shall dedicate the same to the Township in accordance with these regulations. The cost associated with the Township inspection of the site infrastructure improvements will be at the developer's expense and will be performed on a time and material basis as required by the Township Engineer.

- B. Guarantee of Future Performance - In lieu of requiring the completion of all improvements prior to final plan approval, the Township may, at its discretion, enter into a contract with the developer whereby the developer shall guarantee to complete all improvements required by this Ordinance, or otherwise specified by the Governing Body in a manner satisfactory to the Governing Body.

When requested by the developer in order to facilitate financing, the Governing Body shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Governing Body; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

To secure this contract, the developer shall provide, subject to the approval of the Governing Body, one of the following guarantees:

1. Surety Bond: The developer shall obtain a security bond from a surety bonding company authorized to do business in the Commonwealth of Pennsylvania. The bond shall be payable to the Township. The amount of financial security shall be equal to 110% of the cost of the required improvements as estimated by the developer and approved by the Township Engineer. The duration of the bond shall be until such time as the improvements are accepted by the Township in accordance with the requirements of this Ordinance.
2. Escrow Account: The developer shall deposit cash, or other instrument readily convertible into cash at face value, either with the Township or in escrow in a bank. The use of any instrument other than cash, and in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of the Governing Body. The amount of financial security shall be equal to 110% of the cost of the required improvements as estimated by the developer and approved by the Township Engineer.

In case of an escrow account, the developer shall file with the Governing Body an agreement between the financial bank and himself guaranteeing the following:

- a. That the funds of said escrow account shall be held in trust until released by the Governing Body and may not be used or pledged by the developer as security in any other matter during the period; and,



- b. That in the case of a failure on the part of the developer to complete said improvements, the bank shall immediately make the funds in said account available to the Township for use in the completion of those improvements.
3. Property Escrow: The developer shall offer as a guarantee, land or other property, including corporate stocks or bonds. The value of any such property shall be at least equal to 110% of the cost, as estimated by the developer and approved by the Township Engineer, of the installation of all contracted improvements. Property value shall be determined by means acceptable to the Township and shall take into account the likelihood of a decline in the value of said property during the guarantee period. The Governing Body shall retain the right to reject the use of any property when it believes that the property will be unusually difficult to sell, or for other reasons such as will inhibit the Township from exchanging the property for a sufficient amount of money to complete the required improvements.

When property is offered as an improvement guarantee, the developer shall:

- a. Execute an agreement with the trustee when it is not the Governing Body, instructing the trust to release the property to the Township in the case of default. The agreement shall also state that the property may be released only upon consent of the Governing Body. The agreement shall be placed on file with the Township Zoning/Code Enforcement Officer.
  - b. File with the Governing Body an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is to be put in trust; and,
  - c. Execute and file with the Governing Body an agreement stating that the property to be placed in trust as an improvement guarantee will not be used for any other purpose or pledged as a security in any other matter until it is released by the Governing Body.
4. Extension of Guarantees: If the developer requires more than one (1) year from the date of posting financial security to complete the required improvements, the amount of security shall be increased to assure that financial security equals 110%. Any additional security will be posted by the developer in accordance with Section 1001.

## 1102 *RELEASE FROM IMPROVEMENT BOND*

### A. Procedure

1. When the developer has completed all of the required improvements, the developer shall notify the Governing Body, in writing, by certified or registered mail, of the completion of the required improvements and shall send a copy thereof to the Township Engineer.
2. The Governing Body shall, at the next scheduled meeting after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report in writing, with the Governing Body, and shall mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 45 days after receipt by the Township Engineer of the aforesaid authorization from the Governing Body. Said report shall be detailed and shall indicate approval or rejection of said improvements. If any portion thereof shall be rejected, the report shall contain a statement of reasons for such nonapproval or rejection.
3. After receipt of the Engineer's Report and maintenance bond, the Governing Body shall notify the developer within fifteen (15) days, in writing, by certified or registered mail, of the action of the Governing Body with relation thereto.
4. If the Governing Body or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond.
5. If any portion of the required improvements shall not be approved or shall be rejected by the Governing Body, the developer shall proceed to complete the same and upon completion, the same procedure of notification as outlined herein shall be followed.
6. Nothing herein, however, shall be construed in limitation of the subdivider's or developer's right to contest or question by legal proceedings or otherwise, any determination of the Governing Body or the Township Engineer.
7. The developer shall furnish the Township as-built drawings and deeds of dedication of the public improvements (streets, storm drainage, water systems and sanitary sewer), prepared by a Registered Engineer or Surveyor.

#### **1103 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS**

- A. In the event that any improvements that may be required have not been constructed and installed as provided for in the written agreement, this Ordinance, the requirements of the Governing Body or in accordance with the approved final plan, the Governing Body shall enforce any corporate bond, or other security by appropriate legal and equitable remedies.
- B. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Governing Body may, at its option, install part of such improvements, and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.
- C. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

#### **1104 MAINTENANCE BOND**

- A. Before the Township Engineer shall issue to the Governing Body a written certification that all improvements specified and required have been satisfactorily completed in accordance with the agreement and requirements relative to the land development, and in compliance with the specifications, standards, ordinances and requirements of the Township, the subdivider or developer shall be required to deposit with the Township, a Corporate Maintenance Bond, for eighteen (18) months for 15% of the total site improvement construction costs, in such form and with approved surety, as shall be required by the Governing Body. Said Maintenance Bond is to guarantee the repairs and maintenance by the subdivider or developer of the streets, roads, pavements, sidewalks, curbs, gutters, storm drains and facilities, sanitary sewer and facilities, sewage treatment plant and facilities and any other improvements constructed and installed in the subdivision or development, for a period of eighteen (18) months from the date of final and official acceptance of the above said improvements and facilities by the Governing Body.
- B. The repairs and maintenance required to be performed by the subdivider or developer shall extend only to making good any inherent defects which become manifested in the materials and workmanship under ordinary conditions and shall not be held to cover any breakage or damage caused by

improper use or by accident resulting from circumstances over which the subdivider or developer has no control.

#### **1105 HIGHER DESIGN STANDARDS**

- A. No road, street, land or related improvement shall be accepted as a part of the highway system of the Township or for maintenance unless open, laid out, graded and improved in strict accordance with the standards and regulations of the Township. The requirements, specifications, and standards of construction, material and appurtenances as designated herein are considered as minimum, and the Governing Body may as it deems advisable, revise said specifications and requirements to secure a higher standard of improvements and community development.
- B. No storm water drainage facilities, sanitary sewer and sewage treatment facilities, water supply and water distribution system and facilities or any other facilities or improvements will be accepted as a part of the Township's facilities for operation and maintenance unless designed and constructed in strict compliance with all the standards, specifications, rules, regulations, ordinances and requirements of the Township.

#### **1106 RECORDING**

- A. Within ninety (90) days after the date of approval of the final plan, the developer shall record an approved duplicate copy of the plan (in mylar or other transparent reproducible form) in the office of the County Recorder of Deeds, and file with the Zoning/Code Enforcement Officer, a Recorder's Certificate that the approved plan has been recorded, with the Plan Book and page numbers indicated.
- B. After an approved subdivision plan shall have been officially recorded, the streets, parks, and other public improvements shown hereon shall be so considered to be a part of the official plan of the Township.
- C. Streets, parks and other public improvements shown on a subdivision plan to be recorded shall be offered for dedication to the Township by formal notation thereof on the plan, or the Owner shall note on such plan the any improvements have not been offered for dedication to the Township.
- D. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication to the Township and accepted by ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.

- E. In the event that an approved subdivision plan is not recorded within the required ninety (90) day period, said approval shall be deemed voided and rescinded and the plan must be resubmitted if approval is sought by the developer.

**1107 NO RESPONSIBILITY OF TOWNSHIP WHERE PLANS ARE NOT APPROVED**

If any road or any drainage facility in connection therewith shall be opened, constructed or dedicated for public use or travel, except in strict accordance with plans approved and recorded as herein provided, neither the Governing Body nor any public authority shall place, construct or operate any sewer, drain, water pipe or other facility, or do any work of any kind in or upon such road; and neither the Governing Body nor any other public authority shall have responsibility of any kind with respect to any such road or drainage facility, notwithstanding any use of the same by the public. Provided, however, that nothing herein contained shall prevent the laying of trunk sewers, drains, water or gas mains, if required, by engineering necessity for the accommodating of other territory.

**1108 STANDARDS FOR LOCATION AND MANAGEMENT OF OPEN SPACE**

- A. Common open space, when provided, shall be located so as to be consistent with accepted design principles. It shall be designed as a contiguous area easily accessible to the residents and preserving natural features.
- B. There shall be provisions that insure that the common open space shall continue as such and be properly maintained. The developer shall either (a) dedicate such land to public use if the Township or another public agency has indicated it will accept such dedications, (b) retain ownership and responsibility for maintenance of such open space, or (c) provide for and establish one or more organizations for the ownership and maintenance of all common open space. In the case of (b) and (c) above, each organization shall be a nonprofit homeowners' corporation, unless the developer demonstrates that a community open space trust is a more appropriate form of organization.
- C. If a homeowners' association or open space trust is formed, it shall be governed according to the following regulations:
1. The organization is established by the developer and operated with financial subsidization by the developer (if necessary) before the sale of any lots within the development.
  2. Membership in the organization is mandatory for all purchasers of homes therein and their successors.

3. The organization shall be responsible for maintenance, insurance and taxes on common open space.
4. The members of the organization shall share equitably the costs of maintaining and developing common open space, in accordance with procedures established by them.
5. The organization shall hire adequate staff to administer facilities and maintain the common open space.
  - a. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the development, fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization or upon the residents of the development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition.
  - b. Said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof.
  - c. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) days or any extension thereof in either event, said organization shall be responsible for and liable for the complying with the provisions of this Ordinance. Without limiting the foregoing, the Township may take any and all legal action and action necessary to ensure compliance including at its sole discretion to enter upon the common property, take corrective action and invoice the organization for the cost of the same plus an administrative fee of 10% of said cost.
  - d. Said maintenance by the Township shall not constitute a taking, nor vest in the public any rights of use.
  - e. The costs of maintenance by the Township shall be assessed against the properties within the development that have a right of enjoyment of the common open space and shall become a lien on said properties. Notwithstanding the foregoing, the Township may bring a civil action against the organization to collect the costs of the corrective measures plus costs and reasonable attorney's fees and may bring an action against individual property owners for their pro-rata share.
  - f. The developer and/or organization who is legally responsible for the perpetual maintenance of all open space in the development shall post a bond or provide financial security acceptable to the Township for the

maintenance of all open spaces as part of the Developer's Agreement per article 1100.

This bond or financial security will be in an amount required to properly maintain these open spaces by the Township for the initial five (5) year period. The Municipal Engineer will establish an estimated cost to be approved by the Township utilizing the information submitted by the applicant.

Dependent upon the Developer and/or organization who is legally responsible to maintain these open spaces at the end of this five (5) Year period, the Township has the right to require this bond or Financial security be extended indefinitely on a five (5) year basis.

## ARTICLE XII

### MODIFICATIONS

#### 1200 MODIFICATIONS

The Governing Body may grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question as would be with the granting of a variance according to the Pennsylvania Municipalities Planning Code provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

- A. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved, and the minimum modification necessary.
- B. The request for modification shall be referred to the Township Planning Commission for advisory comments.
- C. The Governing Body and the Planning Commission shall keep a written record of all action on all requests for modifications.



## **ARTICLE XIII**

### **AMENDMENTS**

#### **1300 ALTERATIONS AND CHANGES**

The Governing Body may from time to time amend this Ordinance. Amendments to the Subdivision Ordinance shall become effective only after a public hearing held pursuant to public notice. Each such amendment to the Subdivision Ordinance shall be submitted to the County Planning Commission thirty (30) days prior to the scheduled public hearing for review and report. The Governing Body shall not approve an amendment to this Ordinance until the County report is received, or until the expiration of thirty (30) days from the date the amendment was forwarded to the County.

## ARTICLE XIV

### APPEALS

#### **1400 RECONSIDERATION**

Any person aggrieved by a finding, decision or recommendation of the Governing Body may present additional relevant information and request reconsideration of the original findings, decision or recommendation, upon written request, within thirty (30) days of notification of the Governing Body's decision.

#### **1401 APPROVAL REFUSED**

In a case where the Governing Body shall refuse to approve any plans submitted to them, in accordance with this Subdivision Ordinance, any person aggrieved by the action of the Governing Body may, within thirty (30) days after such action, appeal therefrom by petition to the County Court of Common Pleas, which court shall hear the matter de nova, and after hearing, may enter a decree affirming, reversing, or modifying the action of the Governing Body as may appear just on the premises.

The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested.

## ARTICLE XV

### FEES

#### **1500 FEE TO ACCOMPANY APPLICATION FOR REVIEW AND APPROVAL OF PLANS**

- A. All applications and inspections required for reviews, construction and approval of plans of subdivision and land development shall require payment of fees in accordance with a schedule of fees and charges established, or to be established, and adopted by resolution of the Governing Body. Such fees shall be sufficient to defray all costs incurred by the Township in viewing and inspecting the site of the land development, in reviewing the application data and plans submitted relative to the same, and in inspections of improvements during and following construction.
- B. The schedule of fees and charges established, or to be established, shall vary and be regulated in accordance with the scope and complexity of the plan of subdivision and land development projects, such as (1) number of parcels or lots in plan, (2) site development plans, (3) utility development plans, (4) applicant's plan of construction and development of the land, structures and facilities thereon, and appurtenant thereto, and (5) number of times that a plan is submitted or resubmitted for review and request is made for approval of the same.
- C. Where a plan of subdivision or land development has for any reason been rejected by the Governing Body, the applicant, when resubmitting plans and application for review and approval of the same, shall be required to pay a fee as set forth in the Township's schedule of fees and charges for such submittals.
- D. All fees submitted are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development will not be reason or cause for the return of any fee submitted.
- E. Fees will be invoiced to the Developer for Township Administration, Engineering, Zoning Officer, or Building Inspector Costs, and Construction Inspection Costs. The Township will require an escrow account from which the fees may be deducted with the remainder sent to the developer.

## ARTICLE XVI

### CERTIFICATES, AFFIDAVITS, APPROVALS

1600 The certificates quoted below shall be inscribed on the plan as quoted and shall be properly signed and attested when the plan is submitted to the Governing Body. All certificates shall be placed on the final plan in an arrangement suitable for placement of all required seals.

## ARTICLE XVII

### Additional Provisions

Section 1 Penalties. Any persons, firm or corporation who shall violate any provision of this Part, upon conviction thereof in action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than Six Hundred (\$600.00) Dollars no more than One Thousand Dollars (\$1,000.00) plus costs and, in default of payment of said fin and costs, to a term of imprisonment not to exceed ninety (90) days. Whenever any person violating any of the provisions of this Part is notified of such violation in writing by the Township Code Enforcement Officer each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. In addition the foregoing, the Township, may bring an action for injunctive relief or such other relief deemed appropraite by the Court having jurisidiction.

Section 2 Effective Date. This Part shall become effective (5) days after its enactment and adoption.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township of Robinson that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

All Ordinances and Resolutions or parts thereof, insofar as the same are inconsistent herewith, are repealed hereby.

ORDAINED AND ENACTED by the Robinson Township Board of Supervisors in lawful session meeting this 13<sup>th</sup> day of November, 2007.

ATTEST:

Christine L. Rummell  
Secretary

ROBINSON TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Chairman

Gerald Buntas  
Vice-Chairman

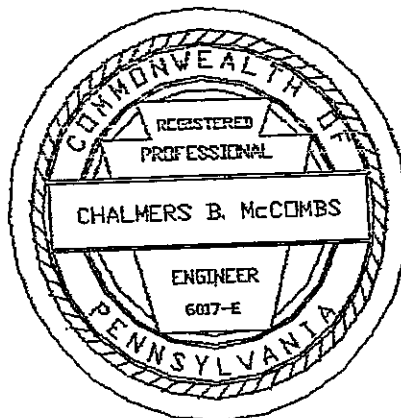
Mark W. Kramm  
Supervisor



Subdivision & Land Development Ordinance  
Appendix No. 1

**ROBINSON TOWNSHIP**  
**INFRASTRUCTURE**  
**IMPROVEMENT & DEVELOPMENT**  
**SPECIFICATIONS**

Including:  
Development Standards,  
Design Standards, and  
Construction Standards



ENGINEER  
CHALMERS B. McCOMBS

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# Development Standards, Design Standards, and Construction Standards

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## Robinson Township

### Development Standards, Design Standards, and Construction Standards

#### Section 1: Applicability

- 1.1 The design standards herein specified are minimum standards. When restrictive covenants or deed restrictions imposed by the developer are more restrictive, they shall govern.
- 1.2 Where the literal compliance with the standards specified is clearly impractical, a modification may be granted in accordance with the procedures and criteria specified in this ordinance.
- 1.3 Land susceptible to flooding, exceptionally high water table, unstable subsurface conditions, steep or unstable slopes, presence of high voltage or high pressure overhead or underground utilities, etc. shall not be approved for subdivision or development unless the hazards have been eliminated or unless the proposed plan shows safeguards adequate, in the opinion of the Township Engineer, to protect the proposed use of the land.
- 1.4 The subdivision or land development plan shall conform to the Township's Comprehensive Plan and Zoning Ordinance and shall represent a logical extension of the municipal street, sewer and water networks, or, if extending across municipal boundaries, to these networks in the adjoining municipalities.

#### Section 2: Street Standards

- 2.1 The layout of streets in a subdivision or plan shall be logically related to topography in order to produce usable lots or areas for development, reasonable grades, and preserve the amenities of the site.
- 2.2 Local streets in a subdivision or plan shall be designed to discourage through traffic.
- 2.3 Streets shall be extended to the boundaries of the subdivision or plan where such extension will connect to an existing or recorded street in an adjacent subdivision or plan or shall represent a logical connection into undeveloped adjacent land because of topography or shape of the adjacent land.
- 2.4 Where a subdivision or plan abuts a major highway, the arrangement within the subdivision or plan shall be oriented away from the major highway and the number of access points to the highway shall be kept to a minimum.
- 2.5 Where a subdivision or plan abuts an already existing public road whose right-of-way is less than fifty (50) feet, the right-of-way may be widened so that the portion abutting the subdivision or plan is twenty-five (25) feet from the established road.

centerline, except in the case of major highways when the right-of-way may be required to be widened further at the direction of the Township and/or Pennsylvania Department of Transportation.

- 2.6 Half streets or partial streets shall be prohibited, except where a proposed subdivision or plan abuts property along such a public street on the abutting property, the proposed subdivision or plan shall complete the street and it shall be recorded in the plan. At least twenty-five (25) feet of right-of-way width, measured from the centerline of the public street, shall be provided on the property proposed for subdivision.
- 2.7 Alleys shall not be permitted in residential developments, but may be provided in commercial or industrial developments where needed for loading, unloading, or secondary access. Where authorized by the Township, alleys shall have a minimum right-of-way width of thirty (30) feet and shall be paved with a minimum base which meets the Standards of Construction and Specifications adopted by Resolution of the Board of Supervisors for a Township Street.

### **Section 3: Street Alignment**

#### **3.1 Street Alignment and intersections:**

All streets and intersections shall be designed in accordance with the requirements of the latest edition of "A Policy on Geometric Design of Highways and Streets" issued by the American Association of State Highway and Transportation Officials (AASHTO).

#### **3.2 Street Grades:**

3.2.1 -- There shall be a minimum centerline grade of two percent (2%).

3.2.2 -- Centerline grades shall not exceed the following:

Minor Street	Twelve Percent (12%)
Connector Street	Eight Percent (10%)
Collector Street	Six Percent (8%)
Arterial Street	Five Percent (6%)

3.2.3 -- Centerline grades on cul-de-sacs shall not exceed five percent (5%), unless modified by the board of supervisors.

#### **3.3 Street Widths:**

3.3.1 -- Minimum right-of-way and cartway (pavement) widths shall be as follows:

<u>Arterial Street</u>	
Right-of-Way	80 feet
Cartway	48 feet

Collector Street

Right-of-Way (four lane)	60 feet
Right-of-Way (two lane)	60 feet
Cartway (four lane)	48 feet
Cartway (two lane)	24 feet

All Other Streets

Right-of-Way	50 feet
Cartway	24 feet

3.4 Cul-de-sacs

3.4.1 – Unless otherwise specified in this Ordinance, cul-de-sac streets shall not exceed twelve hundred (1200) feet in length. All cul-de-sacs shall be provided at the closed end with a circular turnaround having a paved area at least eighty (80) feet in diameter within a right-of-way whose diameter is at least one hundred (100) feet. Alternate means of ingress and egress are encouraged from a planning perspective rather than dead end cul-de-sacs.

3.4.2 – If a subdivision or plan is developed over several stages and roads are to be extended as development proceeds, cul-de-sac streets produced in one stage to be extended in a later stage shall be provided within the limits of the first phase of the plan or on the adjacent remnant parcel on which the next phase is proposed, provided that the right-of-way for the cul-de-sac is recorded with the approved phase of the plan and the construction of the cul-de-sac is guaranteed by the Improvement Bond posted for the approved phase. In the event that the street is extended in the future, the abandonment of the right-of-way for the cul-de-sac shall be subject to the concurrence of the owners in the recorded plan on which the right-of-way is recorded and so detailed for recording on the plan for the street extension.

3.5 Vertical Curves:

The following K values shall be used to compute minimum curve length. Curve length equals the algebraic difference of the tangent grades times the K value.  
As per AASHTO (See EXHIBIT #8)

<u>Design Speed</u>	<u>Low-Volume</u>		<u>Crest Curves</u>	<u>Sag Curves</u>
	<u>&lt; 400 ADT</u>			
15	2		K = 8	K = 12
20	5		K = 10	K = 20
25	8		K = 20	K = 30
30	13		K = 30	K = 40
35	20		K = 40	K = 50
40	29		K = 60	K = 60
45	42		K = 80	K = 70
50	57		K = 107	K = 90

### 3.6 Horizontal Curves:

The following minimum horizontal curves shall be provided for each design speed.

<u>Design Speed</u>	<u>Minimum Desirable Horizontal Curvature On Centerline</u>
15	50-95
20	100-180
25	180-280
30	300-430
35	475-585
40	750-825
45	1040
50	1390

A minimum tangent length of fifty feet (50') must be provided between reverse curves when no superelevation is used. If superelevation is required, a tangent must be provided such that a smooth superelevation transition is provided.

### 3.7 Intersections:

Streets shall intersect as nearly as possible at right angles. No more than two (2) streets shall intersect at the same point. The following minimum spacing requirements shall be provided from centerline to centerline of an intersection.

<u>Classification</u>	<u>Minimum Spacing Between Intersections</u>
Arterial Street	1000 feet
Collector Street	300 feet
Connector Street	200 feet
Minor Local Street	200 feet

Intersections shall be rounded by a tangential arc with a minimum radius of:

Twenty five feet (25') for intersections involving only minor streets;

Thirty Feet (30') for intersections involving a connector or collector street; and

Forty feet (40') for all intersections involving an arterial street.

All intersections of streets and driveways with State highways shall require a Highway Occupancy Permit issued by Penn DOT.

### 3.8 Sight Distance at Intersections:

All intersections on Township streets shall have a minimum sight distance as described herein, corresponding to Penn DOT regulations Title 67.441.8(h).

Safe sight distance for passenger cars and single unit trucks exiting from streets onto two-lane streets, as measured from a point ten feet (10') back from the edge of the cartway:

<u>Posted Speed</u>	<u>Safe Sight Distance Left</u>	<u>Safe Sight Distance Right</u>
25	250 feet	195 feet
30	250 feet	195 feet
35	440 feet	350 feet
45	635 feet	570 feet
55	945 feet	875 feet

Safe sight distances for busses and combinations exiting from streets onto two-lane streets, as measured from a point ten feet (10') back from the edge of the cartway:

<u>Posted Speed</u>	<u>Safe Sight Distance Left</u>	<u>Safe Sight Distance Right</u>
25	400 feet	300 feet
30	400 feet	300 feet
35	675 feet	625 feet
45	1,225 feet	1,225 feet
55	2,050 feet	2,050 feet

### 3.9 Split Streets:

Developers who propose split streets with islands of any type within the right-of-way shall be required to submit a landscaping plan subject to approval by the Township. The plan shall show the location, quantity, size, and type of all planting materials, soil preparation details and planting instructions. All selected plant material shall be appropriate for the site, be able to withstand adverse typical climatic conditions for this area and be as maintenance free as possible. Guidelines for plant selection are available from the Township. The landscaping shall be installed at the developer's expense in accordance with the planting measures and procedures established by the American Association of Nurserymen.

### 3.10 Street Names:

3.10.1 – Streets that are extensions of existing streets or are substantially in alignment with them shall bear the name of the existing street.

3.10.2 – Street names shall be subject to the approval of the Board of Supervisors and shall not duplicate names already in use within the same postal zip code zone.

3.10.3 – Street name signs shall be installed in accordance with the requirements of the Township.

### 3.10.4 – Emergency Communication System

#### 3.10.4.A – Posting of Address Identification Required

The property owner of each residence, apartment building, or business shall post and display the legally assigned identification number assigned by the Township within sixty (60) days after said numbers are received by the Township in cooperation with the U.S. Post Office.

#### 3.10.4.B – Regulations Regarding Size, Posting, and Display of Address Identification Numbers

**Size** – The minimum size of any identification number which is attached to a building, residence, or mobile home is four (4) inches in height. The minimum size of an identification number which is attached to a U.S. Postal mailbox is one (1) inch in height.

**Color** – The color of the identification numbers must be such that it is clearly visible as it relates to the background color upon which it is attached.

#### **Posting** –

Every building, residence, or mobile home must have the identification number posted on its U.S. Postal mailbox if such a mailbox is utilized and located directly in front of the residence, building or mobile home.

Any residence, building, or mobile home that does not utilize a U.S. Postal mailbox that is located directly in front of the residence must place an identification number directly on the residence, building, or mobile home in a conspicuous place.

All residents and owners are encouraged to use both locations described above to clearly mark their residence, building, or mobile home.

All identification numbers must be clearly visible from the street or road that provides public access to the premises and cannot be obstructed by vegetation, trees, or any other object.

If any residence, building, or mobile home would not be visible from the street or road and does not utilize a U.S. Postal mailbox, identification numbers must be posted on a post or masonry pillar visible from the street or road.

### 3.11 Private Lanes:

3.11.1 – A private lane as defined by this Ordinance, may be permitted only when such lane serves a maximum of three (3) lots that have no other access to a public street, provided that the property from which the lot is subdivided has frontage on a public street.

3.11.2 – Such a lane shall not be subject to the standards of this Ordinance for construction of a public street, unless any lot or parcel it serves is proposed to be further subdivided. Any further subdivision of a lot or parcel into more lots with frontage on a private lane shall mandate construction of a public street in accordance with the requirements of the Ordinance for constructing a public street. The plan for recording shall contain a notation regarding this requirement to provide a public street if the property is resubdivided.

3.11.3 – No more than one (1) private lane shall be permitted on any property legally existing prior to the adoption of this Ordinance.

3.11.4 – Private lanes shall be named and noted on the subdivision plan; house numbers for dwellings located on private lanes shall be in accordance with the Township Code Ordinances.

3.11.5 – The minimum width of the required right-of-way for a private lane shall be fifteen (15) feet, unless there is a possibility that the property fronting on the private lane can be further subdivided, then the minimum width of the required right-of-way for the private lane shall be fifty (50) feet.

3.11.6 – The required width of the cartway shall not be less than ten feet (10') and shall have a mud free, dust free surface. The maximum permitted grade of a private lane shall be twelve (12) percent.

3.11.7 – Approval of a private lane shall be subject to the execution and recording of an agreement between the adjoining property owners and the Township, where the Township is a third party beneficiary, to maintain the private lane, and placement of a notation on the plan for recording indicating that the Township has no maintenance responsibilities for the private lane.

3.11.8 – The required front and side yard setback shall be provided from the right-of-way line for all existing and proposed structures, as prescribed by the Township Zoning Ordinance.



## Section 4: Easements and Dedications

### 4.1 Public Utilities

4.1.1 – Where possible, utilities shall be placed within the street rights-of way, but where that is not possible they shall be placed except to accommodate unusual sanitary or storm sewerage conditions, within the easements centered on side or rear lot lines.

4.1.2 – Easements shall not be less than twenty (20) feet in width and shall be aligned across blocks and across plans, but may be increased in width to meet the requirements of individual utilities using them.

4.1.3 – A minimum distance of twenty (20) feet shall be maintained between any point of a residential building and the nearest petroleum products or natural gas transmission line.

### 4.2 Drainage

4.2.1 – Where a subdivision or plan is traversed by a watercourse or storm drainage line, a drainage easement or right-of-way shall be provided and recorded on the plan.

4.2.2 – The easement shall be of sufficient width to accommodate the watercourse or line as well as areas adjacent to the watercourse subject to frequent high water table conditions or utilized as detention ponds, etc. and to allow access for work crews to maintain the drainage way.

### 4.2 Dedications

Where sites for parks, schools, playgrounds or other public use areas are required for conformance with objectives of the Township's Comprehensive Plan within the subdivision plan, or open areas are proposed for dedication to the Township or a private association by the developer, such dedication shall be designated as "dedicated" or "reserved" on the Final Plat, together with the name of the agencies responsible for their maintenance.

## Section 5: Lots

5.1 Every lot in a subdivision shall be on a public street, except in accordance with Section 3.11 of this Ordinance.

5.2 Lots shall not be less in depth than their width nor greater in depth than two and one half (2 ½) times their width, unless a modification to this requirement is granted because of unusual topographic, drainage, or other special conditions in accordance with the procedures and criteria specified in this Ordinance.

5.3 Side lines of lots shall be at right angles or radial to street lines as nearly as possible.

- 5.4 Corner lots shall be increases in width to allow a buildable area comparable to an interior lot.
- 5.5 Double Frontage Lots shall be discouraged except where such lots abut a major highway along their rear line, in which case the rear building line of the lots shall be seventy-five feet (75) feet from the major highway right-of-way line.
- 5.6 Minimum lot dimensions and areas shall not be less than those specified in the Township Zoning Ordinance for the Zoning District containing the lot.
- 5.7 Within a subdivision or plan where public or community sewage disposal is not contemplated, soil percolation tests in accordance with procedures of the State or County regulatory agency shall be undertaken. Results of the tests shall be made available to the Planning Commission.
- 5.8 The arrangement within a subdivision or land development plan and areas set aside for community facilities and non-residential uses shall be approved by the Planning Commission and Board of Supervisors based on circulation, parking, and location relative to the residential uses in the plan.
- 5.9 All land in a subdivision shall be platted for a specific purpose.
- 5.10 Lot lines within a subdivision shall be arranged to alleviate any stormwater drainage passing from one lot directly onto a neighboring lot. The Board of Supervisors may direct the developer to provide drainage easements, grade swales or yard and roof drain collector sewers along lot lines to control drainage across lots.
- 5.11 Existing Natural features, existing topography and significant trees shall be retained wherever possible and clearance of ground cover shall be minimized to reduce erosion and maintain drainage patterns.

#### **Section 6: Construction Standards and Specifications.**

- 6.1 Improvements required by this Ordinance shall be constructed in accordance with all applicable requirements contained herein and shall be designed consistent construction standard details provided by the Township. (See Exhibits 1 through 28)
- 6.2 Commercial and/or industrial lot development shall be undertaken in accordance with all applicable requirements contained herein consistent with site plan guidelines and standards provided by the Township.

# Construction Standards and Specifications

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Concrete Monument Standard Detail	Exhibit 23
Lamphole Detail Unimproved Areas	Exhibit 24
Lamphole Detail Improved Areas	Exhibit 25
Keyway / Bench Detail	Exhibit 26



1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM WITH PENN DOT 408, LATEST REVISION
2. ALL PAVING CONTRACTORS SHALL BE PENN DOT PREQUALIFIED FOR BITUMINOUS PAVING INSTALLATION
3. THE PAVEMENT SUBGRADE SHALL HAVE THE SAME CROWN AS THE FINISHED PAVEMENT SURFACE
4. RUN CURB DRAINS TO NEAREST DOWNSTREAM INLET. ADDITIONAL SUB-GRADE CROSS DRAINS MAY BE REQUIRED AT THE DISCRETION OF THE TOWNSHIP IF WET CONDITIONS ARE EVIDENT AT THE TIME OF CONSTRUCTION.
5. ALL UTILITY SERVICE CROSSINGS MUST BE INSTALLED PRIOR TO PAVING EACH PUBLIC UTILITY
6. THE FOLLOWING DIMENSIONS CONSIDERING THAT THE UTILITY IS IN THE CENTER OF THE TRENCH: GAS 3 FEET; WATER 3 FEET; SANITARY SEWER 3 FEET; STORM SEWER 3 FEET; ELECTRIC 2 FEET; TELEPHONE 1.5 FEET; CABLE TV 1.5 FEET; ELECTRIC, TELEPHONE, AND CABLE TV IF INSTALLED IN ONE TRENCH, IT MUST BE 3 FEET WIDE.
7. THE AIR AND SURFACE TEMPERATURE FOR ALL PAVING MUST BE 40 DEGREES AND RISING
8. THE SUBGRADE FOR ALL PAVING MUST BE COMPLETED BY OCTOBER 1 AND THE PAVING MUST BE COMPLETED BY OCTOBER 15.

ROADWAY SECTION

FIFTH COURSE:  
1-1/2" ID-2 SURFACE COURSE  
FOURTH COURSE:  
1-1/2" ID-2 SURFACE COURSE  
THIRD COURSE:  
5" OF ID-2 BINDER COURSE  
SECOND COURSE:  
6" OF 2A LIMESTONE  
FIRST COURSE:  
CLASS 4 GEOTEXTILE (AS A MINIMUM)  
TOWNSHIP ENGINEER MAY REQUIRE  
INCREASED GEOTEXTILE STRENGTH  
DEPENDING UPON ACTUAL FIELD

## PENN5YLVANIA

TYPICAL  
ROADWAY CROSS SECTION

REVISION	DATE
1	02/19/07

EXHIBIT 1

HMT  
INC.

AND ASSOCIATES  
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